

FILED

JAN 07 2012

ORDINANCE NO. 2013- 01

2013000109 ORDI \$0.00
01/07/2013 01:38:38P 1 PGS
PAMELA K BENEKER
FRANKLIN County Recorder IN
Recorded as Presented

AN ORDINANCE ABOLISHING THE FRANKLIN COUNTY E-911/
COMMUNICATIONS ADVISORY BOARD

(Repeal of Ordinance No. 2009-3 and 2009-17)

AUDITOR, FRANKLIN COUNTY

WHEREAS, it is determined that the Franklin County E-911/Communications Advisory Board is no longer serving necessary functions in Franklin County and is no longer necessary:

BE IT NOW ORDAINED by the Board of Commissioners of Franklin County, Indiana:

1. Ordinances No. 2009-3, 2009-17, and any other ordinances amending the same are hereby repealed.
2. Accordingly, the Franklin County E-911/Communications Advisory Board is abolished.
3. Any remaining business affairs, rights, duties, or assets of the Franklin County E-911/Communications Advisory Board shall revert to the Board of Commissioners of Franklin County, Indiana.
4. This amended Ordinance shall take effect immediately, as provided by law.

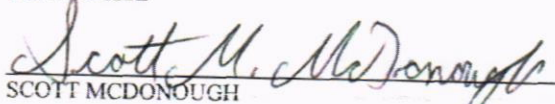
BE IT NOW ORDAINED AND ADOPTED this 7th day of January, 2013.

BOARD OF COUNTY COMMISSIONERS
OF FRANKLIN COUNTY, INDIANA



TOM WILSON

TOM LINKEL


SCOTT MCDONOUGH

ATTEST:



STEVE BRACK, AUDITOR
FRANKLIN COUNTY, INDIANA

Auditor



EPOLLC
P.O. Box 4324
Houston, TX 77210-4324

THE FACE OF THIS DOCUMENT CONTAINS MICROPRINTING

Land Account

Check No. 36949
Date: December 12, 2012

PAY
TO THE
ORDER
OF

Board of County Commissioners of Franklin County, Indiana
1010 Franklin Ave.
Brookville, Indiana 47012

\$ 65,000.⁰⁰
VOID AFTER 180 DAYS

Sixty five thousand and ⁰⁰/₁₀₀ DOLLARS

MEMO

Blanket Use / Permit Fee

B. M. Olson

AUTHORIZED SIGNATURE

Bruce M. Olson

Print Name

⑈036949⑈ ⑈044115443⑈

662639962⑈

ORIGINAL DOCUMENT HAS A WATERMARK

Blooming Grove Volunteer Fire Department

January 1, 2013


To: Tom Wilson, Tom Linkel, Scott McDonough

The fire department would like to ask you as commissioners to keep the 911 advisory board. We have had several dispatch issue that have occurred over the years. Our complaints had went unheard until the advisory board was formed. Since than we as a fire department has helped implement through the Fire Chief Alliance dispatch procedures that will better our citizens, and our response times.

The 911 advisory board is a group of personnel from Fire, EMS, Police, Council, that can get together when needed to talk about issue from all the emergency services that can implement procedures and polices as needed.

We feel that with all involved problems can be handled professionally and can be kept out of public reticule.

Sincerely


Chad McClure President


Steve Russel Fire Chief

FILED

JAN 07 2012

2013000110 ORDI \$0.00
01/07/2013 01:40:50P 2 PGS
PAMELA K BENEKER
FRANKLIN County Recorder IN
Recorded as Presented



ORDINANCE NO. 2013-02

AUDITOR, FRANKLIN COUNTY

A Home Rule Ordinance of Franklin County Indiana authorizing the use of blanket use fees for the use and benefit of the Franklin County Highway Department

WHEREAS, Franklin County is in receipt of a blanket use fee and may continue to receive such blanket use fees in the future;

WHEREAS, the Commissioners of Franklin County ("Commissioners") have determined to authorize the use of the remainder of said blanket use fees, once all expenditures necessary for the completion of the project generating the use fees have been spent, for the use and benefit of the Franklin County Highway Department;

WHEREAS, such use is not prohibited by any existing ordinances of the County or any provision of the Indiana Code;

WHEREAS, no provision of the Indiana Code prescribes statutory procedures or other requirements for the County to follow with respect to such use, apart from those establishing general requirements for the use of public funds;

WHEREAS, the Commissioners, having found that the power to make such use of funds is not specifically prohibited, but is not specifically granted by statute, finds that it may exercise its power to allocate funds according to the provisions of IC 36-1-3; and

WHEREAS, the Commissioners have been advised that it is necessary to adopt an ordinance to prescribe the manner for exercising its authority to so use such funds;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSIONERS OF FRANKLIN COUNTY, INDIANA, THAT:

Section 1. In accordance with IC 36-1-3, the County hereby authorizes the deposit of funds received from blanket use fees into the Motor Vehicle Highway 201 fund.

Section 2. Any required project related expenses, contracted for payment by the county, shall be paid either directly from the Motor Vehicle Highway 201 fund or as otherwise approved by the Commissioners. The proceeds of the use fee, however, shall not be directly set aside or earmarked specifically for project related expenses.

Section 3. Once funds are deposited, all relevant provisions of the Indiana Code and local statute relating to the use of such funds shall be followed, including all audit requirements and other protections on the use of public funds. The funds shall be spent in accordance with any restrictions placed specifically on the Motor Vehicle Highway 201 fund.

Auditor


Section 4. This ordinance shall not be in force and effect if such use of funds should be specifically prohibited by future provisions of the Indiana Code or the specific manner for making such funds shall be prescribed by future provisions of the Indiana Code.


Section 5. This ordinance shall be in full force and effect from and after its passage.

Adopted this 7th day of January, 2013.

BOARD OF COUNTY COMMISSIONERS
OF FRANKLIN COUNTY, INDIANA


TOM WILSON

TOM LINKEL

SCOTT MCDONOUGH

ATTEST: 
STEVE BRACK, AUDITOR
FRANKLIN COUNTY, INDIANA

FILED

ORDINANCE NO. 2013- 03

2013002092 ORDI \$0.00
06/11/2013 10:03:12A 2 PGS
PAMELA K BENEKER
FRANKLIN County Recorder IN
Recorded as Presented



JUN 10 2013

AN ORDINANCE REGULATING DOOR-TO-DOOR SOLICITATIONS IN
FRANKLIN COUNTY, INDIANA

Stephen Brock
AUDITOR, FRANKLIN COUNTY

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF FRANKLIN
COUNTY, INDIANA:

Repeal: The previous door-to-door solicitation ordinance passed by the Franklin
County Commissioners on or about October 17, 1977, is hereby repealed.

Section I: It is unlawful for any person or corporation to solicit, make offers of sell
or sale by any door-to-door means whatsoever within Franklin County, Indiana, any item of
value without first having received from the Office of the Clerk of the Franklin Circuit Court a
registration certificate showing the following information:

1. The name and home address of the person.
2. The name and home address of the person, firm, or corporation which
said individual purports to represent or in whose behalf he is
soliciting or offering for sale anything of value.
3. A photograph of the individual applying for such registration permit.
4. A signature of such person.
5. Social Security Number of such person.

Section II: Prior to the Clerk's issuance for a certificate of registration to the
applicant, the applicant shall file a cash bond in the amount of One Thousand Dollars
(\$1,000.00) or a bond in the amount of Two Thousand Five Hundred Dollars (\$2,500.00) surety
to be approved by the Clerk conditioned that the applicant will faithfully and honestly discharge
the duties and obligations purported to be undertaken by him. Such bond shall be returned 90
days after certification has been made to the clerk that such door-to-door activities have
concluded, provided that no claims have been made against the bond.

Section III: There shall be exempted from this Ordinance local civic, charitable,
religious and non-profit organizations which from time to time conduct solicitations and other

Auctor

fund raising promotions for the benefits of such organization, but not for the personal gain or benefit of any individual or corporate entity. Such organization shall notify the Clerk of the Franklin Circuit Court in writing of their intended solicitations of other fund raising promotion and shall specify the type of promotion involved, as well at the time and place thereof.

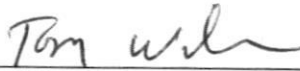
Section IV: Businesses with physical operations in Franklin County which maintain at least \$5,000 in general liability insurance shall also be exempted from this Ordinance.

Section V: Any person or corporate entity violating the terms of this Ordinance shall be fined an amount not to exceed One Thousand Dollars (\$1,000.00).

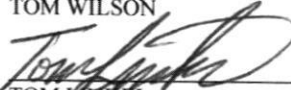
Section VI: There shall be a fee for such registration certificate to be paid to the office of the Clerk of the Franklin Circuit Court. Such fee being One Hundred Dollars (\$100.00) for a thirty (30) day certificate or Two Hundred and Fifty Dollars (\$250.00) for a one (1) year certificate.

BE IT NOW ORDAINED AND ADOPTED this 10th day of June, 2013, by,

BOARD OF COUNTY COMMISSIONERS
OF FRANKLIN COUNTY, INDIANA



TOM WILSON



TOM LINKEL



SCOTT MCDONOUGH

ATTEST: 

STEVE BRACK, AUDITOR
FRANKLIN COUNTY, INDIANA

FILED

JUN 10 2013

JOINT ORDINANCE 2013 - 04

2013002344 ORDI \$0.00
06/27/2013 01:36:58P 5 PGS
PAMELA K BENEKER
FRANKLIN County Recorder IN
Recorded as Presented



Stephen Bruck
AUDITOR FRANKLIN COUNTY

Ordinance of the Franklin County Board of Commissioners and Franklin County Council

establishing fees for electronic map data created and maintained by Franklin County
and restricting certain commercial reproduction of said electronic map data.

WHEREAS, Indiana Code 36-1-3-8(a)(6) and Indiana Code 5-14-3-8(j) provides that a public agency may establish a fee for the provision of copies of electronic map data; and,

WHEREAS, Indiana Code 5-14-3-8.5 provides that the fiscal body of a political subdivision shall adopt an Ordinance to establish an electronic map generation fund for the deposit and use of funds collected for the provision of electronic map data; and,

WHEREAS, Indiana Code 5-14-3-2 defines "direct cost" that may be charged by a public agency for providing a duplicate of electronically stored data onto a disk, tape, drum, or other medium of electronic data retrieval; and,

WHEREAS, Indiana Code 5-14-3-2 defines "electronic map" as copyrighted data created and provided by a public agency from an electronic geographic information system; and,

WHEREAS, Indiana Code 5-14-3-2 defines "person" as an individual, a corporation, a limited liability company, a partnership, an unincorporated association, or a governmental entity; and,

WHEREAS, Indiana Code 5-14-3-3(e) provides that a political subdivision may enact an ordinance prescribing the conditions under which a person who receives electronic data may or may not use that information for commercial purposes; and

WHEREAS, it is in the best interests of the citizens of Franklin County that both the Franklin County Board of Commissioners and Franklin County Council approve the terms of this Ordinance to conform to the terms of Code 5-14-3.

IT IS THEREBY ORDAINED by the Board of Commissioners of Franklin County and the Franklin County Council as follows:

1. Title and Definitions – This Ordinance and any parts herein shall be known as the Franklin County Electronic Map Ordinance.

In accordance with Indiana Code 5-14-3-2, "person" as used in this Agreement is defined as an individual, a corporation, a limited liability company, a partnership, an unincorporated association, or a governmental entity, and "electronic map data" as used in this Agreement is defined as copyrighted data created and provided by a public agency from an electronic geographic information system.

2. Fee Schedule – Pursuant to Indiana Code 5-14-3-8(j) the County may charge a fee, uniform to all persons for providing electronic map data that is based upon a reasonable percentage of the County's direct cost of maintaining upgrading and enhancing the electronic map and for the direct cost of supplying the electronic map in the form requested by the person(s).

In the case where disclosable and nondisclosable electronic map data are combined, Indiana Code 5-14-3-6 provides that the County may charge a reasonable fee for the County's direct cost of computer programming to separate disclosable from nondisclosable electronic map data.

It is hereby established by the Franklin County Commissioners and County Council that the initial fee schedule for the transmission of electronic map data is as set forth in an attached Fee Schedule that is incorporated by reference herein.

If the County contracts with a third party contractor to handle the transmission of County electronic map data, the third party contractor shall receive 2/3, and the County 1/3 of the fees charged the person for electronic map data. This fee schedule shall be reviewed on an annual basis and may be changed on an annual basis to reflect the change in the cost in providing the electronic map data.

3. Exceptions to Fee Schedule – Pursuant to Indiana Code 5-14-3-8(k) any Public Agency, as defined by Indiana Code 5-14-3-2, located within the County or within adjacent counties that agrees to share with the County any electronic map information that that Public Agency might have, if any, that is of the same type as is being shared by the County, the County will agree to automatically approve a Data Sharing Application with that Public Agency and waive that portion of the electronic map fee that would otherwise be retained by the County.

Pursuant to Indiana Code 5-14-3-8(k) the County's retained portion of the electronic map fee shall be waived at the County's discretion if the use of the electronic map data will be used for a noncommercial purpose, including the following: Public Agencies that do not agree to share with County the same type of electronic map data being provided by the County, Nonprofit activities, Journalism, and/or Academic research.

4. Third Party Contractor – In accordance with Indiana Code 5-14-3-3.6, electronic map information may be provided to person(s) through the County's own computer gateway, or by agreement through a computer gateway of a third party contractor. Indiana Code 5-14-3-3.6(e) provides that a contract entered into under this section may require the payment of a reasonable fee to either the third party contractor, the County, or both.

In accordance with Indiana Code 5-14-3-4, neither the County nor the third party contractor shall disclose electronic map data that is specifically excepted from disclosure requirements.

5. Payment - Where the County is using its own computer gateway for the provision to person(s) of electronic map data, payment shall be made by the person(s) at the time of delivery. Where the County has entered into an agreement with a third party contractor to provide electronic map data through the third party contractor's computer gateway, the third party contractor shall handle the billing and invoicing of the fees charged and shall agree to send by U.S. mail that portion of the fee due the County to the County's Electronic Map Generation Fund within 10 business days of the receipt of payment of fees to the third party contractor by the person(s) making the purchase.

6. Compliance with State Statutes - Nothing herein shall compel any office or their contracted third party contractor to charge a fee for copies if the fee imposed by this Ordinance is contrary to state law. In the event the fees in this Ordinance are contrary to any charges established by State statute, the State statute shall apply.

7. Use Restrictions and Notice - Pursuant to the provisions of Indiana Code 5-14-3-3(e), no person, other than those authorized in writing by the Board of Commissioners, may use the electronic map data provided by the County for commercial purposes, including to sell, advertise, or solicit the purchase of merchandise, goods, or services, or sell, loan, give away, or otherwise deliver the information obtained by request to any other person for these purposes. This includes the repackaging or assimilation of electronic map data for a commercial purpose in paper or electronic media. The electronic map data may be used as a reference for determining the accuracy of maps developed independently from the County's electronic map data.

A person who uses information in a manner contrary to this Ordinance or a rule or ordinance adopted under Indiana Code 5-14-3-3 may be prohibited by the County from obtaining any electronic map data. The following notice regarding data ownership, restrictions, and qualifications shall be provided to every person that receives a copy of the County's electronic map data.

"Franklin County electronic map data is the property of Franklin County, Indiana. All electronic map data supplied by Franklin County has been derived from public records that are constantly undergoing change and is not warranted for content or accuracy. The County does not guarantee the positional or thematic accuracy of the data. The cartographic digital file server is not a legal representation of any of the features depicted, and the County disclaims any assumption of the legal status they represent. Any implied warranties, including warranties of merchantability or fitness for a particular purpose, shall be and/or expressly excluded. The data represents an actual reproduction of data contained in the County's computer files. This data may be incomplete or inaccurate, and is subject to modifications and changes. Therefore, the County cannot be held liable for errors or omissions in the data. The recipient's uses and reliance upon such data is at the recipient's risk. By using this data, the recipient agrees to protect, hold harmless and indemnify Franklin County and its employees and officers. This indemnity covers reasonable attorney's fees and all court costs associated with the defense of Franklin County arising out of this disclaimer. The recipient may copy this data into computer memory or onto computer storage devices and prepare derivative works from it for the recipient's own use."

Pursuant to the provisions of Indiana Code 5-14-3-3(e), no person, other than those authorized in writing by the Board of Commissioners may use the electronic map data provided by the County for commercial purposes, including to sell, advertise, or solicit the purchase of merchandise, goods, or services, or sell, loan, give away, or otherwise deliver the information obtained by request to any other person for these purposes. A person who uses information in a manner contrary to a rule or ordinance adopted under Indiana Code 5-14-3-3(e) may be prohibited by the Board of Commissioners from obtaining any electronic map data.

A copy of the language contained in this section shall be conspicuously posted in all offices where electronic map data is sold in the County, and shall be provided to any person(s) (as defined by Indiana Code 5-14-3-2) who desires to purchase electronic map data from the County.

8. Use Violation Penalty - Any person(s) who violates the terms and conditions of this Ordinance by failing to pay for purchased electronic map data shall be liable for total fee charged for the electronic map data plus attorney's fees and the cost of collection. Any person(s) who violates the restrictions on the use of electronic map data as set forth in Section 7 of this Ordinance shall be guilty of an infraction and may be fined by the County up to Two Thousand Five Hundred (\$2,500), and each violation shall be deemed a separate offence. Also, in the event that there is an improper use of electronic map data as set forth in Section 7 of this Ordinance or in violation of State or Federal Law, the County may prohibit the person(s) (as defined by Indiana Code 5-14-3-2) from obtaining any electronic map data and seek injunctive relief from any misuse of electronic map data by the person(s) who originally purchased the electronic map data or any other person(s) who has received a copy of the electronic map data.

9. Electronic Map Generation Fund - Pursuant to Indiana Code 5-14-3-8.5, the Franklin County Council hereby establishes the Franklin County Electronic Map Generation Fund. The Electronic Map Generation Fund shall consist of fees charged for providing electronic map data to person(s) in accordance with Indiana Code 5-14-3-8(j) and be subject to the appropriation by the Franklin County Council. In accordance with Indiana Code 5-14-3-8.5(b), all funds collected in the Electronic Map Generation Fund shall be specifically dedicated to the following purposes:

- a. The maintenance, upgrading, and enhancement of the electronic map.
- b. The reimbursement of expenses incurred by a public agency in supplying an electronic map in the form requested by the person(s).

10. Dispute Resolution - Any person who has a dispute, or seeks relief from the terms of this Ordinance may seek resolution of that dispute or relief from the Board of Commissioners of Franklin County.

11. Ordinance Codification - The Auditor of Franklin County shall cause a copy of this Ordinance to be codified in the Franklin County Code.

12. Effective Date - This Ordinance shall be effective on the 10 day of June, 2013, and all Ordinances in conflict herewith are repealed.

PASSED ON THIS 10th DAY OF June, 2013.

FRANKLIN COUNTY
BOARD OF COMMISSIONERS

[Signature]
Tom L. [Signature]
Scott M. McDonough

FRANKLIN COUNTY COUNCIL

Jeff Koch
Dean McQueen
Joe Legime
Deaf Korman
Holliman
Beckgalsky
A. M. [Signature]

ATTESTED BY:

FRANKLIN COUNTY AUDITOR

Steve Bush

**FEE SCHEDULE
ELECTRONIC MAP DATA**

The Fee Schedule for the transmission of Franklin County electronic map data, effective as of the 10 day of June, 2008, is as follows:
2013

1. Complete Map Data Layers:

An annual fee of \$1,500, paid in advance, for the continuous transmission of available and disclosable countywide non-photo electronic map data layers.

A fee of \$750, paid in advance for a one time delivery of available and disclosable countywide non-photo electronic map data layers delivered on a CD.

A fee of \$750, paid in advance, for a one time delivery of a County's most recent aerial photo layer delivered on CD's.

2. Subsets of Map Data Layers (for less than countywide areas)

A fee of \$150 per hour for the preparation of one time specifically requested subsets of County electronic map data.

3. Separating Disclosable and Nondisclosable Data

A fee of \$150.00 per hour for computer programming required to separate disclosable and nondisclosable electronic map data if this is required as part of a one time map data request.

FILED

JUN 10 2013

ORDINANCE No. 2013-05

2013002093 ORDI \$0.00
06/11/2013 10:05:31A 1 PGS
PAMELA K BENEKER
FRANKLIN County Recorder IN
Recorded as Presented

Stephen Brack
AUDITOR, FRANKLIN COUNTY

**AN ORDINANCE RE-ESTABLISHING THE FRANKLIN COUNTY
DEPARTMENT OF EMERGENCY MANAGEMENT AND OTHER RELATED
MATTERS CONCERNING THE EXERCISE OF EMERGENCY POWERS**

**BE IT ORDAINED BY THE FRANKLIN COUNTY BOARD OF
COMMISSIONERS THAT** a new ordinance be adopted with respect to the Department
of Emergency Management **BY REPLACING AND REPEALING** the existing
Ordinance 2001-13 with the attached **Exhibit A**, Table of Contents and Sections 1
through 4, containing the substantive provisions of this Ordinance.

All ordinances or parts of ordinances in conflict with provisions of this Ordinance are
hereby repealed.

Should any Section, Paragraph, clause or phrase of this Ordinance be declared
unconstitutional or invalid, the remainder of said Ordinance shall continue in full force
and effect.

This Ordinance shall be effective upon passage and publication as required by law.

BE IT NOW ORDAINED AND ADOPTED this 10th day of June, 2013,
by,

BOARD OF COUNTY COMMISSIONERS
OF FRANKLIN COUNTY, INDIANA

[Signature]
TOM WILSON

[Signature]
TOM LENKEL

[Signature]
SCOTT MCDONOUGH

ATTEST: *[Signature]*
STEVE BRACK, AUDITOR
FRANKLIN COUNTY, INDIANA

Ordinance
2013-05

FILED

JUN 12 2013

Stephen Brock
AUDITOR, FRANKLIN COUNTY

COPY

ORDINANCE No. 2013-05

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DEPARTMENT OF EMERGENCY MANAGEMENT AND OTHER RELATED
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BE IT NOW ORDAINED AND ADOPTED this ____ day of _____, 2013,
by,

BOARD OF COUNTY COMMISSIONERS
OF FRANKLIN COUNTY, INDIANA

TOM WILSON

TOM LINKEL

SCOTT MCDONOUGH

ATTEST: _____
STEVE BRACK, AUDITOR
FRANKLIN COUNTY, INDIANA

**EXHIBIT A
FRANKLIN COUNTY
DEPARTMENT OF EMERGENCY MANAGEMENT**

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SECTION 1: PURPOSE

To re-establish in Franklin County the Department of Emergency Management and to provide for the exercise of necessary powers during disaster emergencies.

SECTION 2: COUNTY EMERGENCY MANAGEMENT PROGRAM; DEFINITIONS AND GENERAL PROVISIONS

A. Definitions

1. As used in this chapter hereinafter the following words and terms have the meanings indicated.
2. "Advisory Council" means the Franklin County Emergency Management Advisory Council as established under this Ordinance, pursuant to Indiana Code
3. "Board" means the Board of County Commissioners, as elected pursuant to Indiana Code
4. "Chairman" means the Chairman of the Franklin County Emergency Management Advisory Council as established under this Ordinance, pursuant to Indiana Code
5. "County" means Franklin County
6. "Director" means the Franklin County Director of Emergency Management as established and appointed pursuant to this Ordinance in accordance with Indiana Code 10-14-3-17(d) (2).
7. "Department" means the Franklin County Department of Emergency Management as established under this Ordinance, pursuant to Indiana Code 10-14-3-17 (b).
8. "Disaster" means occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural or manmade cause, including but not limited to fire, flood, earthquake, wind, storm, wave action, oil spill, other water contamination requiring emergency action to avert danger or damage, air contamination, drought, explosion, riot, or hostile military or paramilitary action.

9. "Emergency Management" means the preparation for and the coordination of all emergency functions, other than functions for which military forces or other federal agencies are primarily responsible, to prevent, minimize, and repair injury and damage resulting from disasters. These functions include, without limitation, firefighting services, police services, medical and health services, rescue, engineering, warning services, communications, radiological, chemical and other special weapons defense, evacuation of persons from stricken areas, emergency welfare services, emergency transportation, plant protection, temporary restoration of public utility services, and other functions related to civilian protection, together with all other activities necessary or incidental to the preparation for and coordination of the foregoing functions.
10. "Emergency Management Volunteer" means any person who serves without compensation in the Department of Emergency Management, being first duly rostered, identified and appointed by the Director, including persons and private agencies or governmental units offering services to the county during emergency situations or mutual aid to other emergency services who request assistance.
11. "Participating Emergency Service" means:
 - (a) Any County department or agency designated in the emergency operations plan to participate in emergency management activities, and,
 - (b) Any department or agency of the state, another state another county, a municipal corporation, or a volunteer organization designated to participate in the county's emergency management programs and activities pursuant to a cooperative or mutual aid agreement entered into pursuant to Indiana Code 10-14-3-16.
12. "Personnel" means county officers and employees and emergency management volunteers, unless otherwise indicated.
13. "Plan" or "Emergency Plan" means the current local Comprehensive Emergency Management Plan whose preparation and updating are mandated by Indiana Code 10-14-3-17 (h)
14. "Principal Executive Officer" of the County as referred to in Indiana Code 10-14-3-29 for purposes of declaring a local disaster emergency, and as referred to hereinafter, means the County Board of Commissioner. If a quorum of the County Board of Commissioners (two of the three

Commissioners) is unavailable or is incapacitated, then the following establishes the line of succession for Principal Executive Officer:

- (a) Regularly Designated President of the County Board of Commissioners. If a quorum of the County Board of Commissioners (two of the three Commissioners as established under Indiana Code) is unavailable or is incapacitated, then the regularly designated President of the County Board of Commissioners shall serve as the Principal Executive Officer for the purposes of this ordinance until such time that a quorum of the County Board of Commissioners is no longer unavailable or incapacitated.
 - (b) President Pro-Tem of the Board of County Commissioners. If both a quorum of the County Board of Commissioners and the regularly designated President of the County Board of Commissioners are unavailable or are incapacitated, then the President Pro-Tem of the County Board of Commissioners shall serve as the Principal Executive Officer for the purposes of this ordinance until such time that either the regularly designated President or a quorum of the County Board of Commissioners is no longer unavailable or incapacitated.
 - (c) Remaining Commissioner of the Board of County Commissioners. If a quorum of the Board of County Commissioners, the regularly designated President of the Board of County Commissioners, and the President Pro-Tem of the County Board of Commissioners are all unavailable or are incapacitated, then the remaining Commissioner of the County Board of Commissioners shall serve as the Principal Executive Officer for the purposes of this ordinance until such time that the President Pro-Tem, the regularly designated President, or a quorum of the County Board of Commissioners is no longer unavailable or incapacitated.
15. "IDHS" means the Indiana Department of Homeland Security, the State Emergency Management Agency established under Indiana Code 10-19-2-1.

B. General Scope And Intent: Liberal Construction Of Powers

The general intent of this Ordinance is to provide for all necessary and indispensable powers and procedures reasonably needed to mitigate, prepare for, respond to and recover from emergency conditions. To this end, all powers, both ministerial and discretionary, as conferred herein shall be liberally construed to supplement and augment, not to limit, any other powers or reasonable exercise of discretion which may ordinarily pertain to county officers, employees, department, and agencies.

C. Limitations: Non-supersession of Emergency Powers of County Sheriff

Nothing in this Ordinance is intended to supersede or delimit any statutory powers of the County Sheriff.

D. Limitations: Non-supersession Of Emergency Management Powers of Political Subdivisions; Conformance of Political Subdivision Emergency Management Rules and Regulations With County's Emergency Management Program and Emergency Plan

Nothing in this Ordinance is intended to supersede or delimit the powers granted under Indiana Code 10-14-3-17 to any political subdivision in Franklin County to adopt and implement emergency plans and promulgate and enforce emergency management rules and regulations in the event of an actual emergency affecting such political subdivision. However, such regulations and procedures as promulgated by said political subdivision may not be inconsistent with the County emergency management program and emergency plan established in accordance with this ordinance.

SECTION 3: COUNTY EMERGENCY MANAGEMENT ADVISORY COUNCIL; COUNTY EMERGENCY MANAGEMENT DIRECTOR; ORGANIZATION AND ADMINISTRATION OF DEPARTMENT OF EMERGENCY MANAGEMENT

A. County Emergency Management Advisory Council: Establishment

In accordance with Indiana Code 10-14-3-17 (b) there is established the County Emergency Management Advisory Council which shall consist of the following individuals or their designees.

1. The president of the County executive.
2. The president of the County fiscal body.
3. The mayor of each city located in the County.
4. An individual representing the legislative bodies of all towns located within the County.
5. Representatives of such private and public agencies or organizations which can be of assistance to emergency management as the organizing group considers appropriate, or as may be added later by the County emergency management advisory council, as non-voting members.
6. One (1) commander of a local civil air patrol unit in the County or the commander's designee (if any).

B. County Emergency Management Advisory Council: Officers

The Advisory Council shall have a Chairman, a Vice-Chairman, and a Recording Secretary. The Advisory Council shall elect these officers for one (1) year terms.

C. County Emergency Management Advisory Council: Power and Duties

1. The Advisory Council shall exercise general supervision and control over the emergency management program of the County.
2. The Advisory Council shall recommend a candidate or candidates to be selected by the County Executive as County Emergency Management Director. This appointment shall be permanent unless it is terminated for cause by the Board of Commissioners.
3. The Advisory Council shall meet at least once every six months; the frequency, time and location being determined by the Advisory Council.
4. The Advisory Council is subject to all of the requirements of the Indiana Open Door Law (Indiana Code 5-14-1.5, et. seq.). In addition, any records generated, received, retained, maintained, used, or filed by the Advisory Council are public records subject to the Indiana Access to Public Records Act (Indiana Code 5-14-3, et. seq.). Also, these public records are subject to the retention schedule adopted by the County Commission of Public Records in accordance with Indiana Code 5-15-6, et. seq.

D. Director of Emergency Management: General Powers And Duties

The Director shall be executive head of the Department and shall have responsibility for the organization, administration and operation of the emergency management organization, including the following specific powers and duties:

1. Keep the Advisory Council fully informed on emergency management activities.
2. Keep the County Commissioners fully informed on emergency management activities.
3. Submit to the Advisory Council and the County Commissioners a yearly report on the county's comprehensive emergency management, including mitigation, preparedness, response and recovery taken in the previous year and planned and recommended for the year to come.
4. Assure that all of the duties and responsibilities of the Emergency Management Agency are completed.

5. Assure that all county employees and rostered volunteers with responsibilities as part of the Comprehensive Emergency Management Plan receive training in the functions that they are to perform under the Plan.
6. Design and conduct exercises of the Comprehensive Emergency Management Plan, as required by the State Emergency Management Agency.
7. Assure that the Comprehensive Emergency Management Plan addresses all hazards and includes all cities, towns and other population centers within the county.
8. Submit to State Emergency Management Agency the assessment specified in IDHS's required format and within IDHS's required time frame for submission.
9. Provide to the State Emergency Management Agency Director annual reports and documentation as mandated.
10. Competently manage the department's various functions, including among others financial, personnel, and logistics.
11. Timely respond to the County Executive or Chairman of the Advisory Council.
12. Timely obey the directives of superior state authorities;
13. Assure that the activities of the Department at all times comport with Indiana Code 10-14-3-1, et seq. and other applicable statutes, rules and County ordinances.
14. Shall develop an emergency operating center ("EOC") as a site from which key officials can direct and control operations during a disaster or emergency,
15. The Emergency Operation Center is located in the basement of the Franklin County Courthouse Annex, 108 East 5th Street, Brookville, IN 47012. Entrance to the office is at the rear of the building off Court Street.
16. Assure ongoing attendance by the Director, the Deputy Director and all paid emergency management staff at further emergency management courses presented by the Public Safety Training Institute as needed to assure continued knowledge of the latest information on emergency management.

17. Assume responsibility for public relations, information and education regarding all phases of emergency management.
18. Assure coordination within the County of all activities for emergency management.
19. Maintain liaison and coordinate with all other affected agencies, public and private.
20. Coordinate the recruitment and training for volunteer personnel and agencies to augment the personnel and facilities of the county for emergency management purposes.
21. Seek, negotiate and enter into (with the approval or ratification of the County Commissioners and consistent with the State Emergency Operations Plan and program) mutual aid arrangements with other public and private agencies for emergency management purposes, and taking all steps in accordance with such arrangements to comply with or take advantage thereof in the event of an actual emergency affecting the parties;
22. Accept any offer of the Federal Government to provide for the use of the county any services, equipment, supplies, materials, or funds for emergency management purposes by way of gift, grant or loan, when the Governor has approved such offer.
23. Seek and accept from any person, firm or corporation, any gratuitous offers to provide services, equipment, supplies, materials, funds, or licenses or privileges to use real estate or other premises, to the county for emergency management purposes.
24. Issue proper insignia and papers to emergency management workers and other people directly concerned with emergency management.
25. Assure that all volunteers meet the criteria set forth below in Section E., 2 (c). prior to accepting them as members of the Department.
26. Make rapid and accurate assessment of:
 - (a) Property damage;
 - (b) Personal injuries;
 - (c) Fatalities;
 - (d) Basic needs; and
 - (e) Special needs

as soon as an emergency or disaster declaration has been made.

27. In addition to the powers and duties expressly provided above, the Director shall be construed to have all powers and duties of a local emergency management Director as provided under Indiana Code. In particular, but not by limitation, the Director, through the Department, may perform or cause to be performed with respect to the county, any function parallel or analogous to those performed on a statewide basis by IDHS under Indiana Code .
28. The Director is not permitted to hold any other local or state elective office, appointive position, or any other position that is created by statute.

E. Department Of Emergency Management: Establishment; Staffing; Oath; And Prohibition of Political Activity

1. There is hereby established a Department of Emergency Management within the executive branch of Franklin County government for the purpose of utilizing to the fullest extent possible the personnel and facilities of existing county departments and agencies to prepare for and meet any disaster as defined in this ordinance. The Director of Emergency Management shall be responsible for its organization, administration and operation.
2. The Department consist of the following:
 - (a) An executive head of the Department of Emergency Management, who shall be known as the Director of Emergency Management;
 - (b) A Deputy Director may be appointed by the Director with the approval of the Board of Commissioners. The Deputy Director shall fulfill the duties of the Director in the absence or incapacity of the Director to serve; and assist the Director in the performance of Director's duties.
 - (c) Emergency management volunteers, as deemed necessary and appointed by the Director. In addition to the other requirements in this Section, the Director shall ensure that all volunteer personnel meet the following qualifications before being placed on the roster as a member of the Department:
 - (i) Be at least eighteen (18) years of age or older;
 - (ii) Not be convicted of a felony; and
 - (iii) Have completed and have on file with the Department a volunteer application form.

- (d) The employees, equipment and facilities of all county departments and agencies suitable for, or adaptable to emergency management and designated by the Plan to participate in emergency management activity;
 - (e) Staff officers with responsibility for Communications and Warning, Radiological, Health and Medical Care, Law Enforcement, Fire and Search and Rescue, Public Works and Public Information in accordance with the Comprehensive Emergency Management Plan; and
 - (f) Such assistants, clerical help, and other employees or volunteers as deemed necessary and appointed by the Director in accordance with the Comprehensive Emergency Management Plan.
3. Pursuant to Indiana Code Indiana Code 10-14-3-27, no person shall be employed or associated in any capacity in any emergency management organization established under this Ordinance who:
- (a) advocates a change by force or violence in the constitutional form of the government of the United States or the overthrow of any government in the United States by force or violence; or
 - (b) has been convicted of or is under indictment or information charging any subversive act against the United States.
4. Pursuant to Indiana Code Indiana Code 10-14-3-27, each individual who is appointed to serve in an organization for emergency management shall, before entering upon the individual's duties, take an oath, in writing, before a person authorized to administer oaths in this state.
- (a) The oath shall be substantially as follows:

“I, _____, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of Indiana against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter. And I do further swear (or affirm) that I do not advocate, nor am I a member of any political party or organization that advocates, the overthrow of the government of the United States or of this state by force or violence; and that during such time as I am a member of the County Department of Emergency Management I will not

”

advocate nor become a member of any political party or organization that advocates the overthrow of the government of the United States or of this state by force or violence.”

- (b) For the purposes of this Section, the Executive Director of IDHS and the Director shall be authorized to administer the oath provided in subsection (a) to emergency management and disaster personnel; and may delegate that authority to designated deputies and assistants as may be approved by the Executive Director of IDHS.
5. Pursuant to Indiana Code 10-14-3-26, the Department and its full-time employees are prohibited from participating in political activity as follows:
- (a) The Department shall not participate in any form of political activity nor shall it be employed for political purposes.
 - (b) Political considerations shall not be a consideration for appointment to the Department nor cause for dismissal except as provided in Section E.3. (a) and (b).
 - (c) Full time employees of the Department shall not participate in political activities.
6. It is the intent of this Ordinance that emergency management and disaster assignments under the Plan shall be as consistent with normal duty assignments as possible.
7. The County Council shall not have any power of approval over particular candidates for any position, but the County Council shall have general statutory powers to determine the numbers of officers, deputies, and employees of county departments, classify positions, and adopt schedules of compensation pursuant to Indiana Code 36-2-5-3. Notwithstanding any other provision of this Ordinance, with the exception of the Director, a compensated position may not be established within the Department of Emergency Management, nor shall any person be appointed to such position without appropriation of sufficient funding from the County Council.

F. Department Of Emergency Management: Duties

The Department, subject to the direction and control of the Director, shall prepare and implement the Comprehensive Emergency Management Plan, including the following specific duties:

1. Prepare and distribute to all appropriate officials in written form a clear and complete statement of the emergency responsibilities of all local agencies and officials and of the disaster chain of command in accordance with Indiana Code 10-14-3-17(i).
2. Work closely with officers and employees of incorporated and unincorporated areas of the County to develop a hazard mitigation program to eliminate or reduce potential hazards.
3. Write and implement the Comprehensive Emergency Management Plan, which shall conform to the guidelines contained in the most current state and federal guidance documents and the requirements established under Section 3.H, herein. As part of the preparation of this Plan, the Department shall:
 - (a) Identify and analyze the effects of hazards that threaten the County.
 - (b) Inventory manpower and material resources from governmental and private sector sources that would be available in a disaster or emergency.
 - (c) Establish a system to alert key officials in event of a disaster or emergency.
 - (d) Identify resource deficiencies and work with appropriate officials on measures to correct them.
 - (e) Develop and maintain an emergency communications system, thus assuring proper functioning of emergency communications throughout the county, including all cities and towns.
 - (f) Take all actions necessary to ensure the continuity of government procedures and systems in the event of a disaster.
 - (g) Establish and maintain a shelter and reception and care system for both people and animals.
 - (h) Develop a training program for emergency response personnel ensuring that mitigation, training and exercising have been performed for all such personnel.
 - (i) Coordinate with industry to develop and maintain industrial emergency plans and capabilities in support of the Comprehensive Emergency Management Plan.

4. Update the Comprehensive Emergency Management Plan as needed to keep it current, as required by Indiana Code.
5. Develop a program to test and exercise the Emergency Plan.

G. Department Of Emergency Management: Budget and Finance

1. The Advisory Council shall advise the Director in the preparation of the budget.
2. The County Council shall appropriate such funds, as it may deem necessary for the purpose of emergency management.
3. All funds appropriated or otherwise available to the Department of Emergency Management shall be administered by the Director.

H. Comprehensive Emergency Management Plan: Formulation; Content And Adoption

1. A County Comprehensive Emergency Management Plan, referred to as the interjurisdictional disaster emergency plan by Indiana Code, shall be adopted by resolution of the County Board of Commissioners. In the preparation of this Plan, as it pertains to county organization, it is the intent that the services, equipment, facilities and personnel of all existing departments and agencies shall be utilized to the fullest extent possible.
2. The Comprehensive Emergency Management Plan shall include, at minimum, the following:
 - (a) An Administrative Section which includes
 - (i) Authorities and Directives.
 - (ii) Terms and Definitions.
 - (iii) Acronyms/Abbreviations.
 - (iv) Financial Management.
 - (b) A Hazards Specific Section which includes:
 - (i) Unique hazards.
 - (ii) Special Events.
 - (c) An Operations Section which includes:
 - (i) Coordination and Control Emergency Support Function
 - (ii) Communications and Warning Emergency Support Function

- (iii) Public Information Emergency Support Function
 - (iv) Resource Management Emergency Support Function
 - (v) Information and Planning Emergency Support Function
- (d) An Emergency Services Section which includes:
- (i) Military Emergency Support Function
 - (ii) Law Enforcement Emergency Support Function
 - (iii) Firefighting Emergency Support Function
 - (iv) Transportation Emergency Support Function
 - (v) Health and Medical Emergency Support Function
 - (vi) Search and Rescue Emergency Support Function
 - (vii) Public Works/Engineering Emergency Support Function
- (e) A Consequent Effects Section which includes:
- (i) Evacuation Emergency Support function
 - (ii) Shelter/Mass Care Emergency Support Function
 - (iii) Damage Assessment Emergency Support Function
 - (iv) Hazardous Materials Emergency Support Function
 - (v) Radiological Protection Emergency Support Function
 - (vi) Energy Emergency Support Function

3. In addition, all emergency services within the county shall:

- (i) Develop Standard Operating Procedures, Standard Operating Guides and checklists that are drafted subject to the requirements of the Comprehensive Emergency Management Plan;
- (ii) Coordinate Standard Operating Procedures, Standard Operating Guides and checklists with the Department of Emergency Management;
- (iii) Assure inclusion of the Standard Operating Procedures, Standard Operating Guides and checklists within the county Comprehensive Emergency Management Plan;
- (v) Perform the functions and duties assigned by the County Comprehensive Emergency Management Plan; and

(vi) Maintain their portion of the Comprehensive Emergency Management Plan in a current state of readiness at all times.

I. Jurisdiction: Department Of Emergency Management; County Comprehensive Emergency Management Plan; And Political Subdivisions

1. Except as provided by Sections 2.C. and 2.D., the jurisdiction of the County Department of Emergency Management shall be comprehensive and inclusive Countywide and effective in both the incorporated and unincorporated areas of the County.
2. The jurisdiction and applicability of the County Comprehensive Emergency Management Plan, as adopted pursuant to Section 3.H., and the exercise of any powers of the Principal Executive Officer of the County and of the County Board of Commissioners under Section 4, shall be comprehensive and inclusive Countywide and effective in both the incorporated and unincorporated areas of the County.
3. All political subdivisions in the County shall:
 - (a) If they develop a plan for their political subdivision:
 - (i) Ensure that the plan is consistent with the requirements of the County Comprehensive Emergency Management Plan;
 - (ii) Coordinate the development of the plan with the Department of Emergency Management; and
 - (iii) Ensure inclusion of the plan within the County Comprehensive Emergency Management Plan.
 - (b) Perform the functions and duties assigned by the County Comprehensive Emergency Management Plan.
 - (c) Maintain their portion of the Comprehensive Emergency Management Plan in a current state of readiness at all times.

J. Tests of the Comprehensive Emergency Management Plan; Other Emergency Tests

1. Tests of the Comprehensive Emergency Management Plan may be conducted at any time with or without prior notification to persons other than the Director.
2. All emergency tests conducted within the boundaries of the County shall be coordinated with the Department.

K. County Board of Commissioners: General Administrative Powers and Duties

In time of normal county operations, powers and duties of the County Commissioners pertaining to emergency management shall be:

1. Maintaining general supervision over the planning and administration for the Department;
2. Adopting the Comprehensive Emergency Management Plan;
3. Coordinating emergency management activities consistent with the Comprehensive Emergency Management Plan;
4. Making assignments of county personnel to emergency management activities consistent with the Comprehensive Emergency Management Plan;
5. Making assignments of County personnel to emergency management duties in order to meet situations not covered in the normal duties and powers of such agencies consistent with the Comprehensive Emergency Management Plan;
6. Taking all necessary action in coordination with the Department to conduct tests of the Comprehensive Emergency Management Plan; and
7. Educating themselves as to their responsibilities under the Comprehensive Emergency Management Plan.
8. The Board of Commissioners has the power to terminate the County Emergency Management Director for cause only, if the Board determines that the Director:
 - (a) Is incapable of fulfilling his/her duties, or
 - (b) Has failed to properly perform his/her duties.
 - (c) Has violated any provisions of the County Personnel Policies.
 - (d) Ceases to meet all qualifications for the position required by Federal or State Law, regulations or local ordinances.
9. The Board shall consult with the County Emergency Management Advisory Council and the Executive Director of IDHS to obtain their opinions regarding the abilities and competence of the County Emergency Management Director or a candidate for that position prior to the appointment or termination of the Director. The opinion of the County Emergency Management Advisory

Council and the IDHS Executive Director's opinion hereunder shall be advisory only.

SECTION 4: COUNTY EMERGENCY MANAGEMENT PROGRAM:
EMERGENCY POWERS, REGULATIONS AND PROCEDURES

A. Applicability of Section

This Section shall apply whenever:

1. The Governor has declared a disaster emergency affecting all or part of the county.
2. The Principal Executive Officer of the County, pursuant to Indiana Code 10-14-3-29 and Section 4.C. hereof, is preparing to, or has declared a local disaster emergency affecting all or part of the County.
3. The County Board of Commissioners has implemented a test of the County's Comprehensive Emergency Management Plan and procedures in accordance with and to the extent necessary or indispensable to such test.

**B. Special Emergency Powers and Duties of Principal Executive Officer:
Declaration of Local Disaster Emergency**

1. In the event of an actual or threatened disaster emergency affecting the County, if feasible, the Principal Executive Officer of the County shall seek the advice and input of the Director as to the advisability of declaring a local disaster emergency.
2. If the County Board of Commissioners, acting as the Principal Executive Officer of the County, is the entity declaring the local disaster emergency, then the statutory requirements contained in Indiana Code 36-2-2-8 and Indiana Code 5-14-1.5-5(d) regarding special and emergency meetings of the County Board of Commissioner must be met.
3. The Principal Executive Officer of the County may, in the event of an actual or threatened disaster emergency affecting the County declare a local disaster emergency, pursuant to Indiana Code 10-14-3-29. This declaration shall:
 - (a) Be in writing.
 - (b) State the nature of the disaster.
 - (c) State the conditions that have brought the disaster about.

- (d) State the area or areas threatened.
 - (e) State the area or areas to which the local disaster emergency declaration applies (this may include the entire County or only designated parts thereof).
 - (f) State the effective period of the local disaster emergency declaration. The disaster declaration shall not be continued or renewed for a period in excess of seven (7) days except by or with the consent of the County Board of Commissioners.
4. The declaration of a local disaster emergency, as well as any continuation or termination of such declaration shall be:
 - (a) Announced or disseminated to the general public by the best means available.
 - (b) Filed promptly in the offices of the County Clerk; the County Auditor, and the Clerk of any incorporated municipality located in the declared disaster area.
 5. The declaration shall not be invalidated or ineffective if any of the filing and dissemination requirements cannot be complied with due to the prevailing adverse circumstances.
 6. Upon a declaration, the County's Comprehensive Emergency Management Plan or such component parts thereof as may be relevant to the emergency, shall be activated and implemented.
 7. Declaration of a local disaster emergency is not necessary if the Governor has already proclaimed a statewide or area-wide disaster emergency that includes the County.
 8. **IC 10-14-3-29.5**
 Designation of a local travel advisory
 Sec. 29.5. (a) If the principal executive officer of a political subdivision issues a local travel advisory as part of an emergency declaration under section 29 of this chapter, the principal executive officer shall designate the travel advisory as falling into one (1) of the following categories:
 - (1) "Advisory", the lowest level of local travel advisory, means that routine travel or activities may be restricted in areas because of a hazardous situation, and individuals should use caution or avoid those areas.
 - (2) "Watch" means that conditions are threatening to the safety of the public. During a "watch" local travel advisory, only essential travel, such as to and

from work or in emergency situations, is recommended, and emergency action plans should be implemented by businesses, schools, government agencies, and other organizations.

(3) "Warning", the highest level of local travel advisory, means that travel may be restricted to emergency management workers only. During a "warning" local travel advisory, individuals are directed to:

- (A) refrain from all travel;
 - (B) comply with necessary emergency measures;
 - (C) cooperate with public officials and disaster services forces in executing emergency operations plans; and
 - (D) obey and comply with the lawful directions of properly identified officers.
- Further and more specific restrictions, including parking restrictions, may be included in a "warning" local travel advisory.

(b) If the emergency management agency director or the principal executive officer of a political subdivision determines that conditions within the political subdivision have created the need for travel advisory restrictions without a local disaster emergency declaration under section 29 of this chapter, the emergency management agency director or the principal executive officer may issue an "advisory" or a "watch" level travel advisory.

(c) A "warning" level travel advisory may be issued only after a local disaster emergency is declared under section 29 of this chapter.

As added by P.L.40-2011, SEC.2.

C. County Board of Commissioners; Convening of Special Emergency Meeting

1. As allowed by Indiana Code 36-2-2-8 and Indiana Code 5-14-1.5-5(d), a special meeting of the County Board of Commissioners shall be called as soon as possible after the disaster emergency that affects the county has been declared, either by the Governor or by the Principal Executive Officer of the County, to perform their executive, legislative and administrative functions as the situation may demand.
2. As required by Indiana Code 36-2-2-8(b) and Indiana Code 5-14-1.5-5(d), the following conditions must be met for this meeting:
 - (a) The notice for the meeting must include a specific statement of the purpose of the meeting.
 - (b) News media that have requested notice of meetings must be given the same notice as is given the members of the County Board of Commissioners.
 - (c) The public must be notified of this meeting by posting a copy of the notice at the principal office of the County Board of

Commissioners, or if no such office exists, at the building where the meeting is to be held.

- (d) The County Board of Commissioners may not conduct any business at this meeting that is unrelated to the disaster emergency declaration or not included in the notice of the meeting.
 - (e) All other such requirements that are applicable to a meeting that is called to deal with an emergency.
3. In addition, such a meeting may:
- (a) Be held in any convenient and available place.
 - (b) Continue without adjournment for the duration of the disaster emergency.
 - (c) Be recessed for reasonable periods of time as necessary and permitted by the circumstances.

D. Principal Executive Officer: Special Emergency Powers and Duties

- 1. In the event that a disaster emergency has been declared that affects all or part of the County, and a quorum of the County Board of Commissioners cannot be assembled for purposes of the meeting addressed under Section 4.C., the Principal Executive Officer of the County shall have, on an interim basis, all powers of the County Board of Commissioners and may take all such actions with respect to the disaster emergency declaration that the County Board of Commissioners would have been authorized to take.
- 2. When a quorum of the County Board of Commissioners is assembled, these interim powers of the Principal Executive Officer of the County shall revert to the Board.

E. County Board of Commissioners: Special Emergency Powers and Duties

- 1. At the meeting convened under Section 4.C., the County Board of Commissioners may exercise any of their normal executive and legislative powers to the extent related to the emergency and necessary to deal therewith.
- 2. In addition to the powers enumerated in Section 4.E.1., the Board may also exercise any of the following special and extraordinary powers:

- (a) The County Board of Commissioners may extend the period of a local disaster emergency declared by the Principal Executive Officer of the County, pursuant to Section 4.B., to last more than 7 days if necessary.
- (b) The County Board of Commissioners may terminate the local disaster emergency.
- (c) The County Board of Commissioners may assemble and utilize emergency management resources, including:
 - (i) Personnel of the Department of Emergency Management;
 - (ii) Participating emergency services; and
 - (iii) Any other resources at the disposal of the Commissioners hereunder for emergency management purposes.
- (d) The County Board of Commissioners may order volunteer forces which have been activated pursuant to the Comprehensive Emergency Management Plan to the aid of the County, State or political subdivisions thereof as soon as practicable. These volunteer forces shall be under the direction of the Department of Emergency Management.
- (e) In order to control the local disaster emergency and provide for public health, safety and welfare, the County Board of Commissioners may, to the extent permitted by Indiana Code 10-14-3-17 and subject to its provisions, command services and/or requisition the use of:
 - (i) Equipment;
 - (ii) Facilities;
 - (iii) Supplies; or
 - (iv) Other property.
- (f) The County Board of Commissioners may order volunteer forces which have been activated pursuant to the Comprehensive Emergency Management Plan to the aid of the County, State or political subdivisions thereof as soon

as practicable. These volunteer forces shall be under the direction of the Department of Emergency Management.

- (i) Routes;
 - (ii) Modes of transportation; and
 - (iii) Evacuation destinations.
- (g) The County Board of Commissioners may make provision for availability and use of temporary emergency housing, which housing need not necessarily comply with any minimum housing standards, building or zoning regulations, etc., which would govern the use and location of premises for housing purposes during normal times.
- (h) Except in accordance with Section 4.E.2.i. the County Board of Commissioners shall not suspend any provisions of ordinances or procedures, which are mandated by statute.
- (i) In the event of a disaster emergency that has been declared by the Governor, the County Board of Commissioners may waive any procedures or requirements of statute, or of county ordinances reflecting statutory requirements and mandates, pertaining to:
- (i) The performance of public works.
 - (ii) The entering into contracts.
 - (iii) The incurring of obligations.
 - (iv) The employment of permanent and temporary workers.
 - (v) The utilization of volunteer workers.
 - (vi) The rental of equipment.
 - (vii) The purchase and distribution of supplies, materials and facilities.
 - (viii) The appropriation and expenditure of public funds.

- (j) The County Board of Commissioners may assign any special emergency duties and functions to county:
 - (i) Offices;
 - (ii) Departments; and
 - (ii) Agencies.
- (k) Any unexpended and unencumbered monies budgeted and appropriated but not otherwise dedicated by law to different purposes may, within the scope of each major budget and appropriation category, be utilized and expended for the purpose of carrying out such special emergency duties and functions.
- (l) Pursuant to Indiana Code 10-14-3-22, the County Board of Commissioners may make, amend, and rescind such orders, rules, and regulations as may be necessary for emergency management purposes and to supplement the carrying out of the provisions of this Ordinance. Such orders, rules, and regulations:
 - (i) Cannot be inconsistent with any orders, rules, or regulations promulgated by the Governor or by any State agency exercising a power delegated to it by the Governor.
 - (ii) Cannot be inconsistent with the County's emergency management program or Emergency Plan.
 - (iii) Shall have full force and effect of law when filed in the office of the County Clerk;
 - (iv) Are enforceable by any local or state law enforcement authority in accordance with Indiana Code 10-14-3-22.
- (m) The County Board of Commissioners may, in accordance with the Plan, request the State or the United States or their agencies and political subdivisions to send aid (including financial assistance) if the situation is beyond the control of the regular and emergency county forces and resources.

3. All actions taken by the County Board of Commissioners under this Section shall be:
 - (a) Adopted by ordinance or resolution;
 - (b) Consistent with, and subordinate to, any actions, orders, or regulations made by the Governor or a state agency implementing the State Comprehensive Emergency Management Plan.

F. Officers and Employees of Incorporated and Unincorporated Areas of the County: General Duties During Emergency

During a declared disaster emergency, all officers and employees of incorporated and unincorporated areas of the County shall:

1. Cooperate with and give active support to the County Board of Commissioners and the County Emergency Management Director.
2. Comply with all orders, rules and regulations issued pursuant to this Ordinance by the County Board of Commissioners or the County Emergency Management Director.

G. Noncompliance with Emergency Orders, Rules and Regulations: Obstruction or Impersonation of Emergency Management Authorities; Penalties and Enforcement

1. Whenever this Ordinance applies it shall be unlawful and a penal ordinance violation for any person to:
 - (a) Willfully obstruct, hinder or delay the County Board of Commissioners, the Director of Emergency Management, participating emergency services, authorized emergency management volunteers or other authorities from implementing, carrying out and enforcing the Emergency Plan;
 - (b) Fail to observe, abide by, and comply with any emergency management duties, orders, regulations and procedures as made applicable to such person by the appropriate authorities; or
 - (c) Falsely wear or carry identification as a member of the County Department of Emergency Management or to otherwise falsely identify or purport to be a County emergency management authority.

2. Any person who commits an offense as described above shall be liable to a fine of \$2,500.00; such fine to be subject, however, to the discretion of the court of jurisdiction.
3. Any regular or reserve police officer of Indiana or any of its political subdivisions is hereby empowered to issue and serve a civil citation against any person found to be committing an offense described above.

H. Limitation of Liability During Disaster Emergency Or Emergency Or Emergency Management Tests

During an emergency management test or declared disaster emergency, the County, the County's assigned personnel, participating emergency services, and rostered emergency management volunteers shall be immune from liability to the full extent provided by Indiana Code 10-14-3-15 and all other applicable laws.

I. Compensation for Property Commandeered or Used During Disaster Emergency

Pursuant to Indiana Code 10-14-3-31, compensation for property shall be paid only if the property was commandeered or otherwise used in coping with a disaster emergency and its use or destruction was ordered by the Governor or a member of the disaster emergency forces of the state. Any person claiming compensation for the use, damage, loss, or destruction of such property shall make a claim for it. This claim shall be filed and adjudicated as provided for in Indiana Code 32-24.

Ordinance

2013-05

FILED

JAN 22 2013

ORDINANCE NO. 2013-06

2013000491 ORDI \$0.00
02/04/2013 11:18:18A 1 PGS
PAMELA K BENEKER
FRANKLIN County Recorder IN
Recorded as Presented



Stephen Brack
AUDITOR, FRANKLIN COUNTY

2ND AMENDMENT PRESERVATION ACT

THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY DO ENACT AS FOLLOWS:

SECTION 1: The Franklin County Board of Commissioners finds that:

- A. The 2nd Amendment to the Constitution of the United States reads as follows, "A well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed."
- B. All federal acts, laws, orders, rules or regulations regarding firearms are a violation of the 2nd Amendment.

SECTION 2: PROHIBITION ON FEDERAL INFRINGEMENT OF THE RIGHT TO KEEP AND BEAR ARMS

- A. The Franklin County Board of Commissioners declares that all federal acts, laws, orders, rules, regulations – past, present or future – in violation of the 2nd Amendment to the Constitution of the United States are not authorized by the Constitution of the United States and violate its true meaning and intent as given by the Founders and Ratifiers; and are hereby declared to be invalid in this county, shall not be recognized by this county, are specifically rejected by this county, and shall be considered null and void and of no effect in this county.
- B. It shall be the duty of the Sheriff of this County to take all measures as may be necessary to prevent the enforcement of any federal acts, laws, orders, rules, or regulations in violation of the 2nd Amendment to the Constitution of the United States.

SECTION 3 EFFECTIVE DATE

- A. This act takes effect upon approval by the Franklin County Board of Commissioners.

BE IT NOW ORDAINED AND ADOPTED this 22nd day of January, 2013.

Thomas E. Wilson

Thomas E. Wilson

Tom Linkel

Tom Linkel

Scott M. McDonough

Scott McDonough

Attest:

Steve Brack

Steve Brack, Auditor
Franklin County, Indiana

Auditor

Ordinance
2013-06
2nd Amendment
Preservation Act

2nd Amendment Preservation Act

AN ACT, which shall be known and may be cited as the "2nd Amendment Preservation Act."

To prevent federal infringement on the right to keep and bear arms; nullifying all federal acts in violation of the 2nd Amendment to the Constitution of the United States.

THE PEOPLE OF THE STATE OF (STATE) DO ENACT AS FOLLOWS:

SECTION 1 The legislature of the State of Indiana finds that:

A. The 2nd Amendment to the Constitution of the United States reads as follows, "A well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed."

B. All federal acts, laws, orders, rules or regulations regarding firearms are a violation of the 2nd Amendment

SECTION 2 PROHIBITION ON FEDERAL INFRINGEMENT OF THE RIGHT TO KEEP AND BEAR ARMS

A. The Legislature of the State of Indiana declares that all federal acts, laws, orders, rules, regulations – past, present or future – in violation of the 2nd Amendment to the Constitution of the United States are not authorized by the Constitution of the United States and violate its true meaning and intent as given by the Founders and Ratifiers, and are hereby declared to be invalid in this state, shall not be recognized by this state, are specifically rejected by this state, and shall be considered null and void and of no effect in this state.

B. It shall be the duty of the legislature of this State to adopt and enact any and all measures as may be necessary to prevent the enforcement of any federal acts, laws, orders, rules, or regulations in violation of the 2nd Amendment to the Constitution of the United States.

SECTION 3 EFFECTIVE DATE

A. This act takes effect upon approval by the Governor.

LOCAL 2ND AMENDMENT PRESERVATION ORDINANCE

AN Ordinance, which shall be known and may be cited as the "2nd Amendment Preservation Ordinance." To prevent federal infringement on the right to keep and bear arms; nullifying all federal acts in violation of the 2nd Amendment to the Constitution of the United States.

THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY DO ENACT AS FOLLOWS:

SECTION 1: The Franklin County Board of Commissioners finds that:

A. The 2nd Amendment to the Constitution of the United States reads as follows, "A well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed."

B. All federal acts, laws, orders, rules or regulations regarding firearms are a violation of the 2nd Amendment


SECTION 2: PROHIBITION ON FEDERAL INFRINGEMENT OF THE RIGHT TO KEEP AND BEAR ARMS

A. The Franklin County Board of Commissioners declares that all federal acts, laws, orders, rules, regulations – past, present or future – in violation of the 2nd Amendment to the Constitution of the United States are not authorized by the Constitution of the United States and violate its true meaning and intent as given by the Founders and Ratifiers; and are hereby declared to be invalid in this county, shall not be recognized by this county, are specifically rejected by this county, and shall be considered null and void and of no effect in this county.

B. It shall be the duty of the Sheriff of this County to take all measures as may be necessary to prevent the enforcement of any federal acts, laws, orders, rules, or regulations in violation of the 2nd Amendment to the Constitution of the United States.

SECTION 3 EFFECTIVE DATE

A. This act takes effect upon approval by the Franklin County Board of Commissioners


Scott M. McDonough
1-22-13

FILED

OCT 28 2013

ORDINANCE NO. 2013-07

2013003652 ORDI \$0.00
10/29/2013 10:46:46A 1 PGS
PAMELA K BENEKER
FRANKLIN County Recorder IN
Recorded as Presented



AN ORDINANCE FOR THE INSTALLTION
OF ADDITIONAL STOP SIGNS AT THE INTERSECTIONS OF

HAMBURG ROAD AND ENOCHSBURG ROAD
DORRELL ROAD AND RILEY PIKE
SEELEY ROAD AND SCHOOL ROAD

Stephen Brack
AUDITOR, FRANKLIN COUNTY

WHEREAS, the Board of Commissioners of Franklin County, Indiana make the decisions when appropriate traffic signs shall be installed that will improve traffic safety and allow for the safest operation of vehicles on the Franklin County Highway system:

WHEREAS, the Board of Commissioners has determined it necessary to install additional stop signs at the intersections of:

Hamburg road and Enochsburg Road – Ray Township
Dorrell Road and Riley Pike – Springfield Township
Seeley Road and School Road – Whitewater Township

and

WHEREAS, it is also determined that appropriate traffic signs be placed and maintained which promote traffic safety and allow for the safe operation of vehicles including:

- A. Hamburg Road, North Hamburg Road, and Enochsburg Road, with the stop signs to be placed on Hamburg Road at Northeast corner, North Hamburg Road at Northwest corner, and Enochsburg Road a southwest corner;
- B. Dorrell Road and Riley Pike, with the stop signs to be placed on Dorrell Road at the Northwest corner and Riley Pike at the Northeast corner;
- C. Seeley Road and School Road with the stop signs to be placed on Seeley Road at the Northwest corner and School Road at the Northeast corner;

BE IT NOW ORDAINED by the Board of Commissioners of Franklin County, Indiana:

1. Said Stop signs (30x30 STOP Sign - Engineer Grade Prismatic Reflective. STOP Signs shall be Federal MUTCD R1-1 STOP Sign) and Stop Ahead signs (30x30 STOP AHEAD Signs - Engineer Grade Prismatic Reflective Aluminum. STOP AHEAD Signs shall be Federal MUTCD W3-1 STOP AHEAD Sign) shall be installed as noted above.
2. This Ordinance shall be effective upon passage.
3. A person who violates this Ordinance commits a Class C infraction.

BE IT NOW ORDAINED AND ADOPTED this 28th day of October 2013.

BOARD OF COUNTY COMMISSIONERS
OF FRANKLIN COUNTY, INDIANA

Tom Wilson
TOM WILSON

Tom Linkel
TOM LINKEL

Scott M. McDonough
SCOTT MCDONOUGH

ATTEST:

Steve Brack
STEVE BRACK, AUDITOR, FRANKLIN COUNTY, INDIANA

Indy

Ordinance 2013-07
Stop Signs

FILED

ORDINANCE NO. 2013-11

AN ORDINANCE ABOLISHING

FEB 11 2013 COMMISSIONERS COUNCIL ON HISTORIC METAMORA

Stephen Brack
AUDITOR, FRANKLIN COUNTY

(Repeal of Ordinance No. 2004-9, 2006-09, 2005-10, 2005-11, and 2008-20)

WHEREAS, it is determined that the Commissioners Council on Historic Metamora is no longer serving necessary functions in Franklin County and is no longer necessary:

BE IT NOW ORDAINED by the Board of Commissioners of Franklin County, Indiana:

1. Any portions of Ordinance Nos. 2004-9, 2006-09, 2005-10, 2005-11, and 2008-20 that are still in effect are hereby repealed.
2. Accordingly, the Commissioners Council on Historic Metamora is hereby abolished along with any remaining funding mechanisms involving the same.
3. Any remaining business affairs, rights, or duties of the Commissioners Council on Historic Metamora shall revert to the Board of Commissioners of Franklin County, Indiana.
4. Any funds remaining in the Historic Metamora Account, Account #2150, shall be transferred to the County General fund and Account #2150, along with any other remaining accounts created by the above ordinances shall be closed.
5. This amended Ordinance shall take effect immediately, as provided by law.

BE IT NOW ORDAINED AND ADOPTED this 11th day of February, 2013.

BOARD OF COUNTY COMMISSIONERS
OF FRANKLIN COUNTY, INDIANA

Tom Wilson
TOM WILSON

Tom Linkel
TOM LINKEL

Scott M. McDonough
SCOTT MCDONOUGH

ATTEST:

Steve Brack
STEVE BRACK, AUDITOR
FRANKLIN COUNTY, INDIANA

Auditor

Astoria Melanora

FILED

FEB 13 2013

Stephen Brock
AUDITOR, FRANKLIN COUNTY

February 20, 2013

Franklin County

Re Glinfinr.rpt

3:43 PM

Monthly Financial Statement

of Auditor of Franklin County for Date Ending 2/28/2013

1 of 1

Balance and Receipts Prior Month to Date	Receipts For Month	Total Balance and Receipts To Date	Fund Description	Disbursed Prior Month To Date	Disbursed For Month	Total Disbursed To Date	Ending Cash Balance
665.00	0.00	665.00	2150-HISTORIC METAMORA	0.00	0.00	0.00	665.00
665.00		665.00	Totals - Cash Funds	0.00	0.00	0.00	665.00

**Denotes a discrepancy on the Fund Balance

Parameters:

Operator: SANDYB

Date Ending 2/28/2013



FILED

JUN 25 2013

ORDINANCE NO. 2013- 12

AN ORDINANCE REPEALING

2013002345 ORDI \$0.00
06/27/2013 01:39:36P 3 PGS
PAMELA K BENEKER
FRANKLIN County Recorder IN
Recorded as Presented



BE IT NOW ORDAINED by the County Council of Franklin County, Indiana, that
~~1998-7~~ is hereby repealed.

AUDITOR, FRANKLIN COUNTY

This repeal shall take effect immediately upon adoption by the Franklin County Council.

BE IT NOW ORDAINED AND ADOPTED this 25th day of June, 2013, by,

COUNTY COUNCIL
OF FRANKLIN COUNTY, INDIANA

JEFF KOCH

DARYL KRAMER

BECKY OGLESBY

JOE SIZEMORE

HOLLIE SINTZ

DEAN MCQUEEN

AARON LEIFINGWELL

ATTEST:
STEVE BRACK, AUDITOR
FRANKLIN COUNTY, INDIANA

Am. Titon

ORDINANCE NO. 1998-7

AN ORDINANCE REGULATING DOOR-TO-DOOR SOLICITATIONS IN
FRANKLIN COUNTY, INDIANA

BE IT ORDAINED BY THE BOARD OF COUNTY COUNCIL OF FRANKLIN
COUNTY, INDIANA:

Section 1: It is unlawful for any person or corporation to solicit, make offers of sell
or sale by any means whatsoever within Franklin County, Indiana, any item of value without first
having received from the Office of the Clerk of the Franklin Circuit Court a registration
certificate showing the following information:

1. The name and home address of the person.
2. The name and home address of the person, firm, or corporation
which said individual purports to represent or in whose behalf he
is soliciting or offering for sale anything of value.
3. A photograph of the individual applying for such registration permit.
4. A signature of such person.
5. Social Security Number of such person.

Section II: Prior to the Clerk's issuance of a certificate of registration to the applicant,
the applicant shall file a cash bond in the amount of One Thousand (\$1,000.00) Dollars or a bond
in the amount of Two Thousand Five Hundred (\$2,500.00) Dollars surety to be approved by the
Clerk conditioned that the applicant will faithfully and honestly discharge the duties and
obligations purported to be undertaken by him.

FILED

NOV 26 1998

David P. H. H. H.
CLERK FRANKLIN COUNTY

Section III: There shall be exempted from this Ordinance local civic, charitable, religious and non-profit organizations which from time to time conduct solicitations and other funds raising promotions for the benefits of such organization, but not for the personal gain or benefit of any individual or corporate entity. Such organization shall notify the Clerk of the Franklin Circuit Court in writing of their intended solicitations of other fund raising promotion and shall specify the type of promotion involved, as well at the time and place thereof.

Section IV: Any person or corporate entity violating the terms of this Ordinance shall upon conviction be sentenced to a term not to exceed thirty (30) days in the Franklin County Security Center or fined an amount ^{not} to exceed One Thousand (\$1,000.00) Dollars or both.

Section V: There shall be a fee for such registration certificate to be paid to the Office of the Clerk of the Franklin Circuit Court. Such fee being One Hundred (\$100.00) Dollars for a thirty (30) day certificate or Two Hundred and Fifty (\$250.00) Dollars for a one (1) year certificate.

Signed this 26 day of May, 1998.

Robert Jewell
Samuel J. Rosenberger
Gene Costello
Wm Meers
Martha Bergman
Lowell P. Market

FRANKLIN COUNTY COUNCIL

ATTEST: Carol Y. N. Knize
AUDITOR, FRANKLIN COUNTY,
INDIANA

FILED

FEB 11 2013

ORDINANCE NO. 2013-13

2013000665 ORDI \$0.00
02/12/2013 01:53:37P 2 PGS
PAMELA K BENEKER
FRANKLIN County Recorder IN
Recorded as Presented



Stephen B. ...
AUDITOR, FRANKLIN COUNTY
**AN ORDINANCE PROVIDING FOR
PROVIDING FOR THE DISTRIBUTION OF FUNDS FROM
LAWRENCEBURG SPECIAL REVENUE SHARING AGREEMENT**

WHEREAS, it is determined that Franklin County, Indiana, is in need of a policy to distribute to Franklin County municipalities funds it receives from Lawrenceburg via the Special Revenue Sharing Agreement dated January 17, 2006;

BE IT NOW ORDAINED by the Board of Commissioners of Franklin County, Indiana, and the County Council of Franklin County, Indiana:

1. The following municipalities shall be eligible to receive economic development grants from the funds received from Lawrenceburg:
 - a. Batesville
 - b. Brookville
 - c. Laurel
 - d. Oldenburg
 - e. Mt. Carmel
 - f. Cedar Grove
2. Each of the above municipalities shall be entitled to apply to receive a share of \$50,000 set aside for economic development purposes for these municipalities
3. All funds received should be used by municipalities for economic development purposes (including infrastructure improvements) and/or to create jobs.
4. To receive any funds, a municipality must make a request to the Franklin County Commissioners, describing the nature of the economic development and or job creation project, stating the amount of funds sought, and the total amount of funds expected to be spent on the project from all sources.
5. The Franklin County Commissioners shall approve, reject, or modify the request at their sole discretion.
6. Municipalities shall provide the Franklin County Commissioners with a brief annual report listing the expenditure of funds received and the status of any projects receiving funds.

Auditor

BE IT NOW ORDAINED AND ADOPTED this 11th day of February, 2013, by,

BOARD OF COUNTY COMMISSIONERS
OF FRANKLIN COUNTY, INDIANA

Tom Wilson

TOM WILSON

Tom Linkel

TOM LINKEL

Scott M. McDonough

SCOTT MCDONOUGH

ATTEST: Steve Brack
STEVE BRACK, AUDITOR
FRANKLIN COUNTY, INDIANA

FILED

FEB 19 2013

ORDINANCE NO. 2013- 14

2013000764 ORDI \$0.00
02/21/2013 09:40:19A 1 PGS
PAMELA K BENEKER
FRANKLIN County Recorder IN
Recorded as Presented



**AN ORDINANCE PROVIDING FOR
PAYMENT FOR VOTER REGISTRATION OFFICER**

Stephen Brack
AUDITOR, FRANKLIN COUNTY

WHEREAS, it is determined that Franklin County, Indiana, is in need of a policy to pay the circuit court clerk for her/his duties as voter registration officer, pursuant to I.C. § 3-7-12-22:

BE IT NOW ORDAINED by the Board of Commissioners of Franklin County, Indiana:

1. The Circuit Court Clerk of Franklin County Indiana shall be compensated at the rate of \$6.50 per diem for each day the Franklin County voter registration office is open.
2. The Circuit Court Clerk shall make a certification to the Franklin County Auditor within ten days after the election as to the number of days the voter registration office was open during the previous election cycle. Payments shall be made following the Primary and General Elections when other expenses are paid. In non-election years, certification shall be made by May 15th and November 15th and payment shall be made by May 30th and November 30th.
3. Pursuant to Indiana Code, payments shall be made in the same manner as other election expenses are paid.
4. This Ordinance shall take effect immediately upon adoption by the Franklin County Commissioners

BE IT NOW ORDAINED AND ADOPTED this 19th day of February 2013, by,

BOARD OF COUNTY COMMISSIONERS
OF FRANKLIN COUNTY, INDIANA

Tom Wilson

TOM WILSON
Tom Linkel

TOM LINKEL
Scott M. McDonough

SCOTT MCDONOUGH

ATTEST: *Steve Brack*

STEVE BRACK, AUDITOR
FRANKLIN COUNTY, INDIANA

11/11/13

FILED

MAR 22 2013

ORDINANCE NO. 2013- 15

2013001114 ORDI \$0.00
03/22/2013 12:31:52P 1 PGS
PAMELA K BENEKER
FRANKLIN County Recorder IN
Recorded as Presented



AN ORDINANCE REPEALING ORDINANCE 2013-13

Steve Brack
AUDITOR, FRANKLIN COUNTY
OBTAINED by the Board of Commissioners of Franklin County, Indiana that ordinance 2013-13 is hereby repealed. Henceforth, the funds received from the Lawrenceburg via the Special Revenue Sharing Agreement dated January 17, 2006, shall be governed by Franklin County Ordinance 2013- 16, adopted concurrently;

BE IT NOW ORDAINED AND ADOPTED this 22ND day of March, 2013, by,

BOARD OF COUNTY COMMISSIONERS
OF FRANKLIN COUNTY, INDIANA

Tom Wilson

TOM WILSON

Tom Linkel

TOM LINKEL

SCOTT MCDONOUGH

ATTEST:

Steve Brack

STEVE BRACK, AUDITOR
FRANKLIN COUNTY, INDIANA

ORDINANCE NO. 2013-16

FILED

MAR 22 2013

A Home Rule Ordinance of Franklin County Indiana
providing for the use and distribution of funds from the
Special Revenue Sharing Agreement dated January 17, 2006,
entered into by and between Franklin County, Indiana, and
the City of Lawrenceburg, Indiana.

Stephen Brack
AUDITOR, FRANKLIN COUNTY

WHEREAS, it is determined that Franklin County, Indiana, is in need of a policy for 2013 to distribute to the \$500,000 in funds it annually receives from Lawrenceburg via the Special Revenue Sharing Agreement dated January 17, 2006;

WHEREAS, the distribution and uses of such funds in the manner set forth below is not prohibited by any existing ordinances of Franklin County or any provision of the Indiana Code;

WHEREAS, no provision of the Indiana Code prescribes statutory procedures or other requirements for the County to follow;

WHEREAS, the Franklin County Commissioners, having found that the power to make such use of funds is not specifically prohibited, but is not specifically granted by statute, finds that it may exercise its power to make such use under the provisions of IC 36-1-3; and

WHEREAS, the Commissioners have been advised that it is necessary to adopt an ordinance to prescribe the manner for exercising its power to make such use of said funds;

NOW, THEREFORE, BE IT ORDAINED BY THE FRANKLIN COUNTY COMMISSIONERS, THAT:

Section 1. In accordance with IC 36-1-3, Franklin County hereby authorizes the distribution of funds as follows, so long as the terms and provisions set out in this ordinance are met.

1. \$376,326.14 shall be deposited into the Franklin County General Fund, Fund #100, for use by the County as previously budgeted in accordance with the standard terms placed on the General Fund.
2. \$123,673.90 shall be deposited into the Riverboat Fund, Fund #4701.
 - a. Of the funds deposited in the Riverboat Fund for the year 2013, the full \$123,673.90 can be used to fund the County's commitment to the "Contract By and Between Franklin County, Indiana, and Uni-Ref, Inc." entered into on or about March 20, 2013. To expend these funds, the following steps must be taken:
 - i. The funds must be properly appropriated by the Franklin County Council.
 - ii. Uni-Ref, Inc., must submit paid invoices for expenditures that could have otherwise been paid for as an Economic Development Project as set forth and defined in, I. C. 6-3.5-7-13.1, including but not limited to

the following projects that the County deems to promote significant opportunities for the gainful employment of its citizens, attract a major new business enterprise to the unit, or retain or expand a significant business enterprise within the unit including:

Site improvements, infrastructure improvements, buildings, structures, rehabilitation, renovation, and enlargement of buildings and structures, machinery, equipment, furnishings, facilities, administrative expenses associated with such a project, operating expenses authorized under subsection (b) (2) (E) of I. C. 6-3.5-7-13/1, or to the extent not otherwise allowed under this chapter, substance removal or remedial action in a designated unit.

iii. Payments shall be made directly from Fund #4701.

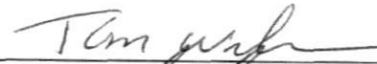
Section 4. This ordinance shall not be in force and effect if such expenditures should be specifically prohibited by the Indiana Code or future provisions of the Indiana Code.

Section 5. This ordinance shall be in full force and effect from and after its passage.

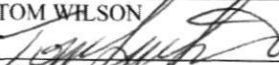
Adopted this 22nd day of March, 2013.

BE IT NOW ORDAINED AND ADOPTED this 22nd day of March, 2013, by,

BOARD OF COUNTY COMMISSIONERS
OF FRANKLIN COUNTY, INDIANA



TOM WILSON



TOM LINKEL

SCOTT MCDONOUGH

ATTEST:



STEVE BRACK, AUDITOR
FRANKLIN COUNTY, INDIANA

FILED

MAY 28 2013

ORDINANCE NO. 2013- 17

2013001937 ORDI \$0.00
05/29/2013 01:39:53P 1 PGS
PAMELA K BENEKER
FRANKLIN County Recorder IN
Recorded as Presented



**AMENDED ORDINANCE PROVIDING FOR
PAYMENT FOR VOTER REGISTRATION OFFICER**

(Amending Ordinance 2013- 14)

Stephen Brack
AUDITOR, FRANKLIN COUNTY

Ordinance 2013- 14 is hereby amended to read as follows:

WHEREAS, it is determined that Franklin County, Indiana, is in need of a policy to pay its Voter Registration Officer, pursuant to I.C. § 3-7-12-22:

BE IT NOW ORDAINED by the Board of Commissioners of Franklin County, Indiana:

1. The Voter Registration Officer of Franklin County Indiana shall be compensated at the rate of \$6.50 per diem for each day the Franklin County voter registration office is open.
2. The Voter Registration Officer shall make a certification to the Franklin County Auditor by June 30th of each year as to the number of days the voter registration office was open during the first half of the year and December 31st as to the number of days the voter registration office was open during the second half of along with appropriate paperwork for a claim. For the year 2013, payment for the first half of the year, less the number of days previously certified by May 15th, 2013, shall be certified by June 30th, 2013.
3. Pursuant to Indiana Code § 36-1-4-16, the Commissioners hereby retroactively ratify the Voter Registration Officer's previous claims for payment of a reasonable per diem from 2011 and 2012. Accordingly, the Commissioners ratify a \$6.50 per diem for 2011 and 2012. Before payment can be made, the Voter Registration Officer must certify to the Franklin County Auditor the number of days the voter registration office was open during 2011 and 2012.
4. Pursuant to Indiana Code, payments shall be made in the same manner as other election expenses are paid.
5. This Ordinance shall take effect immediately upon adoption by the Franklin County Commissioners.

BE IT NOW ORDAINED AND ADOPTED this 28 day of May, 2013, by,
BOARD OF COUNTY COMMISSIONERS
OF FRANKLIN COUNTY, INDIANA

Tom Wilson
TOM WILSON

TOM LINKEL

Scott M. McDonough
SCOTT MCDONOUGH

ATTEST: *Steve Brack*
STEVE BRACK, AUDITOR
FRANKLIN COUNTY, INDIANA

Auditor

FILED

JUL 08 2013

ORDINANCE NO. 2013 - 18

2013002482 ORDI \$0.00
07/09/2013 09:39:46A 4 PGS
PAMELA K BENEKER
FRANKLIN County Recorder IN
Recorded as Presented



Stephen Brock
AUDITOR, FRANKLIN COUNTY

**AN ORDINANCE ALLOWING FOR CERTAIN OFF-ROAD
VEHICLE AND GOLF CART USAGE ON FRANKLIN COUNTY HIGHWAYS**

WHEREAS, it is determined that, Franklin County, IN, is in need of a policy governing Off-Road Vehicle, as defined by IC § 14-8-2-185, and Golf Cart, as defined by I.C. § 9-13-2-69.7, usage on county roadways;

WHEREAS, I.C. § 14-16-1-20(a) (3) authorizes a local highway department to allow Off-Road Vehicles to operate on county roads, pursuant to limits imposed by state law;

WHEREAS, I.C. § 9-21-1-3.3 authorizes counties to adopt an ordinance allowing for the use of Golf Carts on county highways, pursuant to limits imposed by state law; and

WHEREAS, all other applicable state traffic and other laws, including but not limited to the following will remain in full force and effect and abiding by such laws shall remain the operator's sole responsibility:

- 1) All applicable speed limits – Operators are put on notice that they are responsible for abiding by all speed limits even if their vehicle is not equipped with an operable speedometer;
- 2) Any applicable Department of Natural Resources Registration requirements under I.C. § 14-16-1, *et seq.*;
- 3) I.C. § 14-16-1-23 – Requiring a working muffler; and
- 4) Any and all requirements to maintain a valid operator's license.

BE IT NOW ORDAINED by the Board of Commissioners of Franklin County, Indiana, acting in their roles as the heads of the Franklin County Highway Department:

1. Subject to the regulations contained in this ordinance, only All-Terrain Vehicles as defined by I.C. § 14-8-2-5.7, Recreational Off-Road Vehicles as defined by I.C. § 14-8-2-233.5, and Golf Carts, as defined by I.C. § 9-13-2-69.7 (all three terms to have their defined meanings throughout this ordinance) are hereby allowed on roads in the Franklin County Highway Inventory ("Franklin County Roadways"), excluding state highways, subject to the conditions set forth in this ordinance.
2. Dead end roads shall only be open to local traffic only for All-Terrain Vehicles, Recreational Off-Road Vehicles, or Golf Carts.
3. All-Terrain Vehicles, Recreational Off-Road Vehicles, or Golf Carts must be registered at least every two years at the Franklin County Commissioners Office to operate on Franklin County Highways. To register, each operator must present a VIN#, the make and model number of their ATV, proof of insurance, proof that the operator is at least eighteen years of age, proof of

address, and a contact phone number. A registration sticker which must be displayed prominently on rear of the vehicle will be provided for free.

4. All-Terrain Vehicle, Recreational Off-Road Vehicle, and Golf Cart operators must have proof of valid liability insurance covering his/her vehicle in an amount greater than or equal to the Indiana state automotive insurance minimums as set forth in IC § 9-25-4-5 when operated on Franklin County Roadways;
5. All All-Terrain Vehicle, Recreational Off-Road Vehicle, and Golf Cart operators on Franklin County Roadways must be at least 18 years of age or older;
6. No passengers are permitted on single seat All-Terrain Vehicles, Recreational Off-Road Vehicles, and Golf Carts on Franklin County Roadways, passengers on all other All-Terrain Vehicles, Recreational Off-Road Vehicles, and Golf Carts are limited to the number of passenger seats on the vehicle;
7. All-Terrain Vehicles, Recreational Off-Road Vehicles, and Golf Carts must have at least an operating brake light when in operation on Franklin County Roadways;
8. Golf carts must have at least one (1) operating headlight and at least one (1) operating taillight when in operation on Franklin County Roadways;
9. Golf Carts must have a "Slow Moving Vehicle" sign on the rear of the cart, pursuant to the authority granted in I.C. § 9-21-9-0.5 to be operated on Franklin County Roadways;
10. No All-Terrain Vehicles, Recreational Off-Road Vehicles, or Golf Carts are permitted on Franklin County Roadways from sunset until sunrise;
11. All-Terrain Vehicles, Recreational Off-Road Vehicles, or Golf Carts being actively used for agricultural purposes are exempt from Sections 2 through 10 of this ordinance.
12. Pursuant to the authority of I.C. § 9-21-1-3.3, Golf Carts are permitted to cross a highway in the state highway system, at right angles, in order to travel from one (1) highway under the jurisdiction of the county to another highway under the jurisdiction of the county when the operation can be done safely;
13. All-Terrain Vehicles, Recreational Off-Road Vehicles, and Golf Carts must travel single-file on Franklin County Roadways.
14. Failure to abide by any of the above conditions when an All-Terrain Vehicle, Recreational Off-Road Vehicle, or Golf Cart is in use on Franklin County Highways shall constitute a violation of this ordinance.

15. Fines and penalties for violations of this ordinance:

1. First violation - \$100.00;
 2. Second violation - \$250.00 and a 60-day suspension from using All-Terrain Vehicles, Recreational Off-Road Vehicles, and Golf Carts on Franklin County Roadways;
 3. Third and Subsequent Violations - \$500.00 and a lifetime suspension from using All-Terrain Vehicles, Recreational Off-Road Vehicles, and Golf Carts on Franklin County Roadways;
 4. Any conviction for criminal trespass involving an Off-Road Vehicle, as defined by IC § 14-8-2-185, or a Golf Cart, subsequent to the passage of this ordinance, shall result in an automatic lifetime suspension from the operation of All-Terrain Vehicles, Recreational Off-Road Vehicles, and Golf Carts on Franklin County Roadways.
 5. The violation of a 60-day or lifetime suspension shall result in a \$1000 fine for each offense.
 6. Fines up to \$250.00 may be paid through the Franklin County Ordinance Violations Bureau, if such bureau exists, or may be contested in court.
 7. Court costs, as set by the state schedule, shall apply to all cases contested in court.
 8. All fines shall be deposited into the Franklin County General Fund.
16. Enforcement of this ordinance shall be conducted pursuant to I.C. § 34-28-5.
17. If any provision of this ordinance is found to conflict with Indiana state law or with federal law, all other portions shall remain in full force and effect.
18. This ordinance shall become effective on September 1, 2013, or upon the completion of all publication requirements, whichever is later.

BE IT NOW ORDAINED AND ADOPTED this 8th day of July, 2013.

BOARD OF COUNTY COMMISSIONERS
OF FRANKLIN COUNTY, INDIANA

Tom Wilson
TOM WILSON
Tom Linkel
TOM LINKEL
Scott M. McDonough
SCOTT MCDONOUGH

ATTEST: Steve Brack
STEVE BRACK, AUDITOR
FRANKLIN COUNTY, INDIANA

FILED

JUL 22 2013

ORDINANCE NO. 2013-19

2013002635 ORDI \$0.00
07/22/2013 02:22:37P 1 PGS
PAMELA K BENEKER
FRANKLIN County Recorder IN
Recorded as Presented



County, Indiana:
Stephen Brock
AUDITOR, FRANKLIN COUNTY

IT IS ORDAINED BY THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, INDIANA as follows:

Section 1. By Ordinance passed and adopted on July 31, 2007 (Ordinance No. 2007-14), the Franklin County Health Department was to provide certified copies of Birth and Death Certificates upon request from the official records on file in the office of the Franklin County Health Department, and fees were established for such services.

Section 2. Fees for Certified copies of Birth and Death Certificates shall be amended as follows:

A. Birth Records- Fifteen Dollars (\$15.00) per Certified Copy.

B. Death Records- Fifteen Dollars (\$15.00) per Certified Copy including Two Dollars to be placed into Coroners Continued Education Fund as required by State Code IC 16-20-1-27 and IC 16-37-1-9.

Section 3. This Ordinance shall take effect January 1, 2014.

DATED THIS 22ND DAY OF July, 2013

BOARD OF COUNTY COMMISSIONERS
OF FRANKLIN COUNTY, INDIANA

Tom Wil

Scott M. McDonough

ATTEST:

Stephen Brock
Auditor, Franklin County, Indiana

FILED

ORDINANCE NO. 2013- 20

AUG 5 2013

Stephen Brock
AUDITOR, FRANKLIN COUNTY

**AN ORDINANCE PROVIDING FOR
A COUNTY SCHOOL SAFETY COMMISSION**

WHEREAS, it is determined that pursuant to I.C. 5-2-10.1 et seq. and I.C. 10-21-1 et seq. that there is need for the formation of a County School Safety Commission.

BE IT NOW ORDAINED by the Board of Commissioners of Franklin County, Indiana that a COUNTY SCHOOL SAFETY COMMISSION is necessary and that pursuant to Indiana statutes will be appointed fully and completely by the Franklin County Board of School Trustees and that the Board will function on behalf of the Franklin County School Corporation and that neither the County of Franklin shall be responsible for any financial funding from Franklin County, Indiana and that both the appointments and financial responsibility is by Indiana statute delegated to the Franklin County Board of School Trustees.

The Indiana statute for the formation of a COUNTY SCHOOL SAFETY COMMISSION was approved after proper notice by the Board of County Commissioners on July 22, 2013 and that this Ordinance is now proper to be signed and approved by the Franklin County Board of Commissioners.

BE IT NOW ORDAINED AND ADOPTED this 5th day of August 2013.

BOARD OF COUNTY COMMISSIONERS
OF FRANKLIN COUNTY, INDIANA

Tom Wilson
TOM WILSON

Tom Linkel
TOM LINKEL

SCOTT MCDONOUGH

ATTEST:

Steve Brack
STEVE BRACK, AUDITOR
FRANKLIN COUNTY, INDIANA

Auditor

FILED

AUG 5 2013

ORDINANCE NO. 2013-21

2013002786 ORDI \$0.00
08/05/2013 01:47:03P 5 PGS
PAMELA K BENEKER
FRANKLIN County Recorder IN
Recorded as Presented



**AN ORDINANCE PROVIDING FOR
AN ORDINANCE VIOLATION BUREAU AND OTHER COLLECTION PROCEDURES**
AUDITOR, FRANKLIN COUNTY

WHEREAS, it is determined that Franklin County, Indiana, is in need of a policy for the payment of ordinance violation fines:

BE IT NOW ORDAINED by the Board of Commissioners of Franklin County, Indiana:

1. Ordinance violations shall be defined by this Code and the other ordinances of Franklin County, and the penalties, judgments and other liabilities for ordinance violations shall be fixed by this Code and the other ordinances of Franklin County, the state law or both.
2. Penalties for Violations

For a violation of a provision of this Code or any other ordinance of Franklin County, a judgment of not more than:

- a. Two Thousand Five Hundred Dollars (\$2,500.00) may be entered for the person's first violation constituting a Class A Ordinance Violation and Seven Thousand Five Hundred Dollars (\$7,500.00) for a second or subsequent violation of the same provision of this Code or ordinance;
 - b. One Thousand Dollars (\$1,000.00) may be entered for the person's first violation constituting a Class B Ordinance Violation and Three Thousand Dollars (\$3,000.00 for a second or subsequent violation of the same provision of this Code or ordinance);
 - c. Five Hundred Dollars (\$500.00) may be entered for the person's first violation constituting a Class C Ordinance Violation and One Thousand Five Hundred Dollars (\$1,500.00 for a second or subsequent violation of the same provision of this Code or ordinance;
 - d. One Hundred Dollars (\$100.00) may be entered for the persons first violation constituting a Class D Ordinance Violation and Three Hundred Dollars (\$300.00 for a second or subsequent violation of the same provision of this Code or ordinance; and
 - e. Twenty-Five Dollars (\$25.00) may be entered for the person's first violation constituting a Class E Ordinance Violation and Seventy-Five Dollars (\$75.00 for a second or subsequent violation of the same provision of this Code or ordinance).
3. Any ordinance violation which is not specifically defined by class shall be deemed to be classified based on the corresponding fine provided for in the relevant ordinance and treated accordingly.
 4. For a violation of this Code or any other ordinance of Franklin County:
 - a. the judgment authorized in Subsection (2);

Auditor

b. all other penalties, judgments and liabilities authorized by this Code, an ordinance of Franklin County and a statute of this state; or

c. both;

may be entered or applied.

5. Enforcement

This Code and any other ordinances of Franklin County shall be enforced in accordance with the authority and procedures established by state statute, including, but not limited to, IC 36-1-6, and by this Code and relevant County ordinances, resolutions, orders or rules. In the event litigation is instituted by the County to enforce any provision of this Code or other ordinance, the County's cost of litigation, including reasonable attorneys' fees, may be sought in a judgment against the person cited for the violation, when permitted by law. Each day during which a violation occurs shall be a separate violation of that code provision or ordinance subject to an additional civil penalty for each day.

6. Franklin County Ordinance Violations Bureau

The Franklin County Ordinance Violations Bureau ("OVB") is hereby established subject to the provision of IC 33-36-1-1, et seq.

The Franklin County Circuit Court Clerk is hereby designated as the Violations Clerk of the OVB. The Violations Clerk may accept written appearances, waivers of trial, admissions of violations, and payment of civil penalties of not more than two hundred fifty dollars (\$250.00) for Franklin County Code and ordinance violation notices or citations issued pursuant to this Section.

The Violations Clerk, or agents designated below, may accept payment of a civil penalty in the amounts designated on the code or ordinance violation notice or citation issued by an enforcement officer of the designated department or office in accordance with the schedule for any fine of less than \$250 as established in any Franklin County Ordinance. If no dollar amount is indicated as a penalty for a code provision violation listed on the schedule, the enforcement officer may determine the amount of the penalty to charge within the range \$25 to \$250 based on his/her determination of the severity of the violation, subject to any applicable statute or regulation.

7. Right to Trial

- a. A person cited for a violation of a code provision or ordinance subject to this Section is entitled to a trial before a court as provided by law, unless the person waives the right to trial and enters an admission of the violation with the Violations Clerk. Upon such an admission the Violations Clerk shall assess and receive from the violator the amount imposed as a civil penalty for the violation in accordance with Subsection (C). If a person charged with a violation subject to this Section wants to exercise the right to a trial, the person shall appear before the Violations Clerk and deny the violation or enter a written denial with the Violations Clerk. Waivers, admissions and denials must be filed with the Violations Clerk within ten (10) days of the date of the issuance of the code or

ordinance violation notice or citation. The County Attorney shall prepare or approve the forms enforcement officers use for violation notices and citations and all forms deemed necessary, by the Violations Clerk, to process a code or ordinance violation through the procedures set forth in this Section.

b. If a person:

- i. denies a code or ordinance violation before the Violations Clerk or enters a written denial with the Violations Clerk;
- ii. fails to satisfy a civil penalty assessed by the Violations Clerk after having entered an admission of violation; or
- iii. fails to deny or admit the violation before the time that a late payment fee becomes applicable;

the Violations Clerk shall report this fact to the Franklin County Attorneys' Office or other designated enforcement official and the department or office issuing the notice or citation.

8. Deposit into general fund

- a. All sums collected by the Violations Clerk as civil penalties for ordinance or code violations shall be accounted for and paid into the Franklin County General Fund as provided by law.

9. Miscellaneous Collection Provisions

- a. An ordinance or code violation admitted under this section does not constitute a judgment for the purposes of IC 33-37. If a person admits the violation with the Violations Clerk and pays the civil penalty assessed by the Violations Clerk or denies the violation before the Violations Clerk and a court enters judgment for that person on the violation, an ordinance violation costs fee may not be collected from the defendant under IC 33-37-4.
- b. If a person fails to admit the violation with the Violations Clerk and pay or enter into an agreement to pay the civil penalty assessed by the Violations Clerk, or does not deny the code or ordinance violation before the Violations Clerk, or does not enter a written denial with the Violation Clerk within ten (10) days of the date of the issuance of the code or ordinance violation notice or citation, a twenty dollar (\$20) late payment fee shall be added to the penalty payable upon a voluntary admission and the Violation Clerk shall arrange for a judgment to be sought to collect penalties for the violation. If this Code provides for an administrative appeal of a violation notice or citation and if an appeal of a notice or citation is timely and properly filed, the late payment fee shall not be added to the penalty to be paid until ten (10) days following the date of the resolution of this administrative appeal process. The County Attorney or other designated enforcement official may authorize an extension of the time when the late payment fee is applied, when its determined that circumstances do not provide sufficient time for a person to adequately respond to a notice or citation within ten (10) days.

- c. The Violations Clerk and the department of office issuing the notice or citation shall be notified when the County Attorney or designated enforcement official files a complaint in court on an ordinance violation that has been subject of an Ordinance Violation Bureau notice or citation. After thirty (30) days of the issuance of the notice or citation for the violation and of the resolution of any timely and properly filed administrative appeal of the notice or citation, or upon receiving notification of a complaint being filed in court, the Violations Clerk shall not accept an admission of a violation or voluntary payment of a civil penalty for that violation without the consent of the attorney that filed the complaint.
 - d. The County Attorney or designated enforcement official may amend or dismiss and replace any notice, citation or complaint issued pursuant to this Section with a complaint brought under authority of other sections of this Chapter and Code, in order to seek a different civil penalty or remedy in court than that provided by this Section.
 - e. All employees of the Clerk's Office shall serve as agents for purposes of exercising the authority of the Violations Clerk under this Section subject to the direction of the Clerk.
10. The Franklin County, Indiana, Board of Commissioners may designate an enforcement official to act in the place of the County Attorney, including the Franklin County Prosecutor (with the agreement of the Franklin County Prosecutor) or other appointed attorney, for all enforcement purposes.

BE IT NOW ORDAINED AND ADOPTED this 5th day of Aug., 2013, by,

BOARD OF COUNTY COMMISSIONERS
OF FRANKLIN COUNTY, INDIANA

Tom Wilson
TOM WILSON

Tom Linkel
TOM LINKEL

SCOTT MCDONOUGH

ATTEST: Steve Brack
STEVE BRACK, AUDITOR
FRANKLIN COUNTY, INDIANA

Ordinance

2013-21

Violation Bureau)

and other Cell Proc.

FILED

AUG 5 2013

ORDINANCE NO. 2013- 21

2013002786 ORDI \$0.00
08/05/2013 01:47:03P 5 PGS
PAMELA K BENEKER
FRANKLIN County Recorder IN
Recorded as Presented



**AN ORDINANCE PROVIDING FOR
AN ORDINANCE VIOLATION BUREAU AND OTHER COLLECTION PROCEDURES**
AUDITOR, FRANKLIN COUNTY

WHEREAS, it is determined that Franklin County, Indiana, is in need of a policy for the payment of ordinance violation fines:

BE IT NOW ORDAINED by the Board of Commissioners of Franklin County, Indiana:

1. Ordinance violations shall be defined by this Code and the other ordinances of Franklin County, and the penalties, judgments and other liabilities for ordinance violations shall be fixed by this Code and the other ordinances of Franklin County, the state law or both.
2. Penalties for Violations

For a violation of a provision of this Code or any other ordinance of Franklin County, a judgment of not more than:

- a. Two Thousand Five Hundred Dollars (\$2,500.00) may be entered for the person's first violation constituting a Class A Ordinance Violation and Seven Thousand Five Hundred Dollars (\$7,500.00) for a second or subsequent violation of the same provision of this Code or ordinance;
 - b. One Thousand Dollars (\$1,000.00) may be entered for the person's first violation constituting a Class B Ordinance Violation and Three Thousand Dollars (\$3,000.00 for a second or subsequent violation of the same provision of this Code or ordinance);
 - c. Five Hundred Dollars (\$500.00) may be entered for the person's first violation constituting a Class C Ordinance Violation and One Thousand Five Hundred Dollars (\$1,500.00 for a second or subsequent violation of the same provision of this Code or ordinance;
 - d. One Hundred Dollars (\$100.00) may be entered for the persons first violation constituting a Class D Ordinance Violation and Three Hundred Dollars (\$300.00 for a second or subsequent violation of the same provision of this Code or ordinance; and
 - e. Twenty-Five Dollars (\$25.00) may be entered for the person's first violation constituting a Class E Ordinance Violation and Seventy-Five Dollars (\$75.00 for a second or subsequent violation of the same provision of this Code or ordinance).
3. Any ordinance violation which is not specifically defined by class shall be deemed to be classified based on the corresponding fine provided for in the relevant ordinance and treated accordingly.
 4. For a violation of this Code or any other ordinance of Franklin County:
 - a. the judgment authorized in Subsection (2);

Clerk says she can't collect money against the law. Needs to go to Auditor to pay.

b. all other penalties, judgments and liabilities authorized by this Code, an ordinance of Franklin County and a statute of this state; or

c. both;

may be entered or applied.

5. Enforcement

This Code and any other ordinances of Franklin County shall be enforced in accordance with the authority and procedures established by state statute, including, but not limited to, IC 36-1-6, and by this Code and relevant County ordinances, resolutions, orders or rules. In the event litigation is instituted by the County to enforce any provision of this Code or other ordinance, the County's cost of litigation, including reasonable attorneys' fees, may be sought in a judgment against the person cited for the violation, when permitted by law. Each day during which a violation occurs shall be a separate violation of that code provision or ordinance subject to an additional civil penalty for each day.

6. Franklin County Ordinance Violations Bureau

The Franklin County Ordinance Violations Bureau ("OVB") is hereby established subject to the provision of IC 33-36-1-1, et seq.

The Franklin County Circuit Court Clerk is hereby designated as the Violations Clerk of the OVB. The Violations Clerk may accept written appearances, waivers of trial, admissions of violations, and payment of civil penalties of not more than two hundred fifty dollars (\$250.00) for Franklin County Code and ordinance violation notices or citations issued pursuant to this Section.

The Violations Clerk, or agents designated below, may accept payment of a civil penalty in the amounts designated on the code or ordinance violation notice or citation issued by an enforcement officer of the designated department or office in accordance with the schedule for any fine of less than \$250 as established in any Franklin County Ordinance. If no dollar amount is indicated as a penalty for a code provision violation listed on the schedule, the enforcement officer may determine the amount of the penalty to charge within the range \$25 to \$250 based on his/her determination of the severity of the violation, subject to any applicable statute or regulation.

7. Right to Trial

- a. A person cited for a violation of a code provision or ordinance subject to this Section is entitled to a trial before a court as provided by law, unless the person waives the right to trial and enters an admission of the violation with the Violations Clerk. Upon such an admission the Violations Clerk shall assess and receive from the violator the amount imposed as a civil penalty for the violation in accordance with Subsection (C). If a person charged with a violation subject to this Section wants to exercise the right to a trial, the person shall appear before the Violations Clerk and deny the violation or enter a written denial with the Violations Clerk. Waivers, admissions and denials must be filed with the Violations Clerk within ten (10) days of the date of the issuance of the code or

ordinance violation notice or citation. The County Attorney shall prepare or approve the forms enforcement officers use for violation notices and citations and all forms deemed necessary, by the Violations Clerk, to process a code or ordinance violation through the procedures set forth in this Section.

b. If a person:

- i. denies a code or ordinance violation before the Violations Clerk or enters a written denial with the Violations Clerk;
- ii. fails to satisfy a civil penalty assessed by the Violations Clerk after having entered an admission of violation; or
- iii. fails to deny or admit the violation before the time that a late payment fee becomes applicable;

the Violations Clerk shall report this fact to the Franklin County Attorneys' Office or other designated enforcement official and the department or office issuing the notice or citation.

8. Deposit into general fund

- a. All sums collected by the Violations Clerk as civil penalties for ordinance or code violations shall be accounted for and paid into the Franklin County General Fund as provided by law.

9. Miscellaneous Collection Provisions

- a. An ordinance or code violation admitted under this section does not constitute a judgment for the purposes of IC 33-37. If a person admits the violation with the Violations Clerk and pays the civil penalty assessed by the Violations Clerk or denies the violation before the Violations Clerk and a court enters judgment for that person on the violation, an ordinance violation costs fee may not be collected from the defendant under IC 33-37-4.
- b. If a person fails to admit the violation with the Violations Clerk and pay or enter into an agreement to pay the civil penalty assessed by the Violations Clerk, or does not deny the code or ordinance violation before the Violations Clerk, or does not enter a written denial with the Violation Clerk within ten (10) days of the date of the issuance of the code or ordinance violation notice or citation, a twenty dollar (\$20) late payment fee shall be added to the penalty payable upon a voluntary admission and the Violation Clerk shall arrange for a judgment to be sought to collect penalties for the violation. If this Code provides for an administrative appeal of a violation notice or citation and if an appeal of a notice or citation is timely and properly filed, the late payment fee shall not be added to the penalty to be paid until ten (10) days following the date of the resolution of this administrative appeal process. The County Attorney or other designated enforcement official may authorize an extension of the time when the late payment fee is applied, when it is determined that circumstances do not provide sufficient time for a person to adequately respond to a notice or citation within ten (10) days.

BE IT NOW ORDAINED AND ADOPTED this 5th day of Aug., 2013, by,

BOARD OF COUNTY COMMISSIONERS
OF FRANKLIN COUNTY, INDIANA

Tom Wilson
TOM WILSON

Tom Linkel
TOM LINKEL

SCOTT MCDONOUGH

ATTEST: Steve Brack
STEVE BRACK, AUDITOR
FRANKLIN COUNTY, INDIANA

2013-21
Adkins

FILED

SEP 16 2013

Stephen Brock
AUDITOR, FRANKLIN COUNTY

ORDINANCE FOR FLOOD HAZARD AREAS
FOR
FRANKLIN COUNTY

Ordinance No. 2013-22

2013003231 ORDI \$0.00
09/16/2013 01:35:00P 21 PGS
PAMELA K BENEKER
FRANKLIN County Recorder IN
Recorded as Presented



Article 1. Statutory Authorization, Findings of Fact, Purpose, and Objectives.

Section A. Statutory Authorization.

The Indiana Legislature has in IC 36-7-4 and IC 14-28-4 granted the power to local government units to control land use within their jurisdictions. Therefore, the Board of Commissioners of Franklin County, Indiana does hereby adopt the following floodplain management regulations.

Section B. Findings of Fact.

- (1) The flood hazard areas of Franklin County and the Towns of Brookville, Cedar Grove, Laurel, Mt. Carmel, and Oldenburg are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.
- (2) These flood losses are caused by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities, and by the occupancy in flood hazard areas by uses vulnerable to floods or hazardous to other lands which are inadequately elevated, flood-proofed, or otherwise unprotected from flood damages.

Section C. Statement of Purpose.

It is the purpose of this ordinance to promote the public health, safety, and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- (1) Restrict or prohibit uses which are dangerous to health, safety, and property due to water or erosion hazards, which result in damaging increases in erosion or in flood heights or velocities.
- (2) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction.
- (3) Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters.
- (4) Control filling, grading, dredging, and other development which may increase erosion or flood damage.
- (5) Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands.
- (6) Make federally subsidized flood insurance available for structures and their contents in Franklin County and the Towns of Brookville, Cedar Grove, Laurel, Mt. Carmel, and Oldenburg by fulfilling the requirements of the National Flood Insurance Program.

Section D. Objectives.

The objectives of this ordinance are:

- (1) To protect human life and health.

- (2) To minimize expenditure of public money for costly flood control projects.
- (3) To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public.
- (4) To minimize prolonged business interruptions.
- (5) To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone, and sewer lines, streets, and bridges located in floodplains.
- (6) To help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize flood blight areas.
- (7) To ensure that potential homebuyers are notified that property is in a flood area.

Article 2. Definitions.

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance it's most reasonable application.

A zone means portions of the SFHA in which the principal source of flooding is runoff from rainfall, snowmelt, or a combination of both. In A zones, floodwaters may move slowly or rapidly, but waves are usually not a significant threat to buildings. These areas are labeled as Zone A, Zone AE, Zones A1-A30, Zone AO, Zone AH, Zone AR and Zone A99 on a FIRM or FHBM. The definitions are presented below:

Zone A: Areas subject to inundation by the one-percent annual chance flood event. Because detailed hydraulic analyses have not been performed, no base flood elevation or depths are shown. Mandatory flood insurance purchase requirements apply.

Zone AE and A1-A30: Areas subject to inundation by the one-percent annual chance flood event determined by detailed methods. Base flood elevations are shown within these zones. Mandatory flood insurance purchase requirements apply. (Zone AE is on new and revised maps in place of Zones A1-A30.)

Zone AO: Areas subject to inundation by one-percent annual chance shallow flooding (usually sheet flow on sloping terrain) where average depths are between one and three feet. Average flood depths derived from detailed hydraulic analyses are shown within this zone. Mandatory flood insurance purchase requirements apply.

Zone AH: Areas subject to inundation by one-percent annual chance shallow flooding (usually areas of ponding) where average depths are between one and three feet. Average flood depths derived from detailed hydraulic analyses are shown within this zone. Mandatory flood insurance purchase requirements apply.

Zone AR: Areas that result from the decertification of a previously accredited flood protection system that is determined to be in the process of being restored to provide base flood protection. Mandatory flood insurance purchase requirements apply.

Zone A99: Areas subject to inundation by the one-percent annual chance flood event, but which will ultimately be protected upon completion of an under-construction Federal flood protection system. These are areas of special flood hazard where enough progress has been made on the construction of a protection system, such as dikes, dams, and levees, to consider it complete for insurance rating purposes. Zone A99 may only be used when the flood protection system has reached specified statutory progress toward completion. No base flood elevations or depths are shown. Mandatory flood insurance purchase requirements apply.

Accessory structure (appurtenant structure) means a structure that is located on the same parcel of property as the principal structure and the use of which is incidental to the use of the principal structure. Accessory structures should constitute a minimal initial investment, may not be used for human habitation, and be designed to have minimal flood damage potential. Examples of accessory structures are detached garages, carports, storage sheds, pole barns, and hay sheds.

Addition (to an existing structure) means any walled and roofed expansion to the perimeter of a structure in which the addition is connected by a common load-bearing wall other than a firewall. Any walled and roofed addition, which is connected by a firewall or is separated by independent perimeter load-bearing walls, is new construction.

Appeal means a request for a review of the floodplain administrator's interpretation of any provision of this ordinance or a request for a variance.

Area of shallow flooding means a designated AO or AH Zone on the community's Flood Insurance Rate Map (FIRM) with base flood depths from one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Base Flood Elevation (BFE) means the elevation of the one-percent annual chance flood.

Basement means that portion of a structure having its floor sub-grade (below ground level) on all sides.

Building - see "Structure."

Community means a political entity that has the authority to adopt and enforce floodplain ordinances for the area under its jurisdiction.

Community Rating System (CRS) means a program developed by the Federal Insurance Administration to provide incentives for those communities in the Regular Program that have gone beyond the minimum floodplain management requirements to develop extra measures to provide protection from flooding.

Critical facility means a facility for which even a slight chance of flooding might be too great. Critical facilities include, but are not limited to, schools, nursing homes, hospitals, police, fire, and emergency response installations, installations which produce, use or store hazardous materials or hazardous waste.

Development means any man-made change to improved or unimproved real estate including but not limited to:

- (1) construction, reconstruction, or placement of a structure or any addition to a structure;
- (2) installing a manufactured home on a site, preparing a site for a manufactured home or installing a recreational vehicle on a site for more than 180 days;
- (3) installing utilities, erection of walls and fences, construction of roads, or similar projects;
- (4) construction of flood control structures such as levees, dikes, dams, channel improvements, etc.;
- (5) mining, dredging, filling, grading, excavation, or drilling operations;
- (6) construction and/or reconstruction of bridges or culverts;
- (7) storage of materials; or
- (8) any other activity that might change the direction, height, or velocity of flood or surface waters.

"Development" does not include activities such as the maintenance of existing structures and facilities such as painting, re-roofing; resurfacing roads; or gardening, plowing, and similar agricultural practices that do not involve filling, grading, excavation, or the construction of permanent structures.

Elevated structure means a non-basement structure built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, filled stem wall foundations (also called chain walls), pilings, or columns (posts and piers).

Elevation Certificate is a certified statement that verifies a structure's elevation information.

Emergency Program means the first phase under which a community participates in the NFIP. It is intended to provide a first layer amount of insurance at subsidized rates on all insurable structures in that community before the effective date of the initial FIRM.

Encroachment means the advance or infringement of uses, fill, excavation, buildings, permanent structures or development into a floodplain, which may impede or alter the flow capacity of a floodplain.

Existing Construction means any structure for which the "start of construction" commenced before the effective date of the community's first floodplain ordinance.

Existing manufactured home park or subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the community's first floodplain ordinance.

Expansion to an existing manufactured home park or subdivision means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

FEMA means the Federal Emergency Management Agency.

Five-hundred year flood (500-year flood) means the flood that has a 0.2 percent chance of being equaled or exceeded in any year.

Flood means a general and temporary condition of partial or complete inundation of normally dry land areas from the overflow, the unusual and rapid accumulation, or the runoff of surface waters from any source.

Flood Boundary and Floodway Map (FBFM) means an official map on which the Federal Emergency Management Agency (FEMA) or Federal Insurance Administration (FIA) has delineated the areas of flood hazards and regulatory floodway.

Flood Hazard Boundary Map (FHBM) means an official map of a community, issued by FEMA, where the boundaries of the areas of special flood hazard have been identified as Zone A.

Flood Insurance Rate Map (FIRM) means an official map of a community, on which FEMA has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

Flood Insurance Study (FIS) is the official hydraulic and hydrologic report provided by FEMA. The report contains flood profiles, as well as the FIRM, FBFM (where applicable), and the water surface elevation of the base flood.

Flood Prone Area means any land area acknowledged by a community as being susceptible to inundation by water from any source. (See "Flood")

Flood Protection Grade (FPG) is the elevation of the regulatory flood plus two feet at any given location in the SFHA. (see "Freeboard")

Floodplain means the channel proper and the areas adjoining any wetland, lake, or watercourse which have been or hereafter may be covered by the regulatory flood. The floodplain includes both the floodway and the fringe districts.

Floodplain management means the operation of an overall program of corrective and preventive measures for reducing flood damage and preserving and enhancing, where possible, natural resources in the floodplain, including but not limited to emergency preparedness plans, flood control works, floodplain management regulations, and open space plans.

Floodplain management regulations means this ordinance and other zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances, and other applications of police power which control development in flood-prone areas. This term describes federal, state, or local regulations in any combination thereof, which provide standards for preventing and reducing flood loss and damage. Floodplain management regulations are also referred to as floodplain regulations, floodplain ordinance, flood damage prevention ordinance, and floodplain management requirements.

Floodproofing (dry floodproofing) is a method of protecting a structure that ensures that the structure, together with attendant utilities and sanitary facilities, is watertight to the floodproofed design elevation with walls that are substantially impermeable to the passage of water. All structural components of these walls are capable of resisting hydrostatic and hydrodynamic flood forces, including the effects of buoyancy, and anticipated debris impact forces.

Floodproofing certificate is a form used to certify compliance for non-residential structures as an alternative to elevating structures to or above the FPG. This certification must be by a Registered Professional Engineer or Architect.

Floodway is the channel of a river or stream and those portions of the floodplains adjoining the channel which are reasonably required to efficiently carry and discharge the peak flood flow of the regulatory flood of any river or stream.

Freeboard means a factor of safety, usually expressed in feet above the BFE, which is applied for the purposes of floodplain management. It is used to compensate for the many unknown factors that could contribute to flood heights greater than those calculated for the base flood.

Fringe is those portions of the floodplain lying outside the floodway.

Functionally dependent facility means a facility which cannot be used for its intended purpose unless it is located or carried out in close proximity to water, such as a docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, ship repair, or seafood processing facilities. The term does not include long-term storage, manufacture, sales, or service facilities.

Hardship (as related to variances of this ordinance) means the exceptional hardship that would result from a failure to grant the requested variance. The Board of Zoning Appeals requires that the variance is exceptional, unusual, and peculiar to the property involved. Mere economic or financial hardship alone is NOT exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one's neighbors likewise cannot, as a rule, qualify as an exceptional hardship. All of these problems can be resolved through other means without granting a variance, even if the alternative is more expensive, or requires the property owner to build elsewhere or put the parcel to a different use than originally intended.

Highest adjacent grade means the highest natural elevation of the ground surface, prior to the start of construction, next to the proposed walls of a structure.

Historic structure means any structure individually listed on the National Register of Historic Places or the Indiana State Register of Historic Sites and Structures.

Increased Cost of Compliance (ICC) means the cost to repair a substantially damaged structure that exceeds the minimal repair cost and that is required to bring a substantially damaged structure into compliance with the local flood damage prevention ordinance. Acceptable mitigation measures are elevation, relocation, demolition, or any combination thereof. All renewal and new business flood insurance policies with effective dates on or after June 1, 1997, will include ICC coverage.

Letter of Map Amendment (LOMA) means an amendment to the currently effective FEMA map that establishes that a property is not located in a SFHA. A LOMA is only issued by FEMA.

Letter of Map Revision (LOMR) means an official revision to the currently effective FEMA map. It is issued by FEMA and changes flood zones, delineations, and elevations.

Letter of Map Revision Based on Fill (LOMR-F) means an official revision by letter to an effective NFIP map. A LOMR-F provides FEMA's determination concerning whether a structure or parcel has been elevated on fill above the BFE and excluded from the SFHA.

Lowest adjacent grade means the lowest elevation, after completion of construction, of the ground, sidewalk, patio, deck support, or basement entryway immediately next to the structure.

Lowest floor means the lowest of the following:

- (1) the top of the lowest level of the structure;
- (2) the top of the basement floor;
- (3) the top of the garage floor, if the garage is the lowest level of the structure;
- (4) the top of the first floor of a structure elevated on pilings or pillars;
- (5) the top of the floor level of any enclosure, other than a basement, below an elevated structure where the walls of the enclosure provide any resistance to the flow of flood waters unless:
 - a). the walls are designed to automatically equalize the hydrostatic flood forces on the walls by allowing for the entry and exit of flood waters by providing a minimum of two openings (in addition to doorways and windows) in a minimum of two exterior walls having a total net area of one (1) square inch for every one square foot of enclosed area. The bottom of all such openings shall be no higher than one (1) foot above the exterior grade or the interior grade immediately beneath each opening, whichever is higher; and,
 - b). such enclosed space shall be usable solely for the parking of vehicles and building access.

Manufactured home means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle."

Manufactured home park or subdivision means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

Map amendment means a change to an effective NFIP map that results in the exclusion from the SFHA of an individual structure or a legally described parcel of land that has been inadvertently included in the SFHA (i.e., no alterations of topography have occurred since the date of the first NFIP map that showed the structure or parcel to be within the SFHA).

Map panel number is the four-digit number followed by a letter suffix assigned by FEMA on a flood map. The first four digits represent the map panel, and the letter suffix represents the number of times the map panel has been revised. (The letter "A" is not used by FEMA, the letter "B" is the first revision.)

Market value means the building value, excluding the land (as agreed to between a willing buyer and seller), as established by what the local real estate market will bear. Market value can be established by independent certified appraisal, replacement cost depreciated by age of building (actual cash value), or adjusted assessed values.

Mitigation means sustained actions taken to reduce or eliminate long-term risk to people and property from hazards and their effects. The purpose of mitigation is two fold: to protect people and structures, and to minimize the cost of disaster response and recovery.

National Flood Insurance Program (NFIP) is the federal program that makes flood insurance available to owners of property in participating communities nationwide through the cooperative efforts of the Federal Government and the private insurance industry.

National Geodetic Vertical Datum (NGVD) of 1929 as corrected in 1929 is a vertical control used as a reference for establishing varying elevations within the floodplain.

New construction means any structure for which the "start of construction" commenced after the effective date of the community's first floodplain ordinance.

New manufactured home park or subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the community's first floodplain ordinance.

North American Vertical Datum of 1988 (NAVD 88) as adopted in 1993 is a vertical control datum used as a reference for establishing varying elevations within the floodplain.

Obstruction includes, but is not limited to, any dam, wall, wharf, embankment, levee, dike, pile, abutment, protection, excavation, canalization, bridge, conduit, culvert, building, wire, fence, rock, gravel, refuse, fill, structure, vegetation, or other material in, along, across or projecting into any watercourse which may alter, impede, retard or change the direction and/or velocity of the flow of water; or due to its location, its propensity to snare or collect debris carried by the flow of water, or its likelihood of being carried downstream.

One-hundred year flood (100-year flood) is the flood that has a one percent (1%) chance of being equaled or exceeded in any given year. Any flood zone that begins with the letter A is subject to the one-percent annual chance flood. See "Regulatory Flood".

One-percent annual chance flood is the flood that has a one percent (1%) chance of being equaled or exceeded in any given year. Any flood zone that begins with the letter A is subject to the one-percent annual chance flood. See "Regulatory Flood".

Participating community is any community that voluntarily elects to participate in the NFIP by adopting and enforcing floodplain management regulations that are consistent with the standards of the NFIP.

Physical Map Revision (PMR) is an official republication of a community's FEMA map to effect changes to base (1-percent annual chance) flood elevations, floodplain boundary delineations, regulatory floodways, and planimetric features. These changes typically occur as a result of structural works or improvements, annexations resulting in additional flood hazard areas, or correction to base flood elevations or SFHAs.

Post-FIRM construction means construction or substantial improvement that started on or after the effective date of the initial FIRM of the community or after December 31, 1974, whichever is later.

Pre-FIRM construction means construction or substantial improvement, which started on or before December 31, 1974, or before the effective date of the initial FIRM of the community, whichever is later.

Probation is a means of formally notifying participating communities of violations and deficiencies in the administration and enforcement of the local floodplain management regulations.

Public safety and nuisance means anything which is injurious to the safety or health of an entire community, neighborhood or any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin.

Recreational vehicle means a vehicle which is (1) built on a single chassis; (2) 400 square feet or less when measured at the largest horizontal projections; (3) designed to be self-propelled or permanently towable by a light duty truck; and (4) designed primarily not for use as a permanent dwelling, but as quarters for recreational camping, travel, or seasonal use.

Regular program means the phase of the community's participation in the NFIP where more comprehensive floodplain management requirements are imposed and higher amounts of insurance are available based upon risk zones and elevations determined in a FIS.

Regulatory flood means the flood having a one percent (1%) chance of being equaled or exceeded in any given year, as calculated by a method and procedure that is acceptable to and approved by the Indiana Department of Natural Resources and the Federal Emergency Management Agency. The regulatory flood elevation at any location is as defined in Article 3 (B) of this ordinance. The "Regulatory Flood" is also known by the term "Base Flood", "One-Percent Annual Chance Flood", and "100-Year Flood".

Repetitive loss means flood-related damages sustained by a structure on two separate occasions during a 10-year period ending on the date of the event for which the second claim is made, in which the cost of repairing the flood damage, on the average, equaled or exceeded 25% of the market value of the structure at the time of each such flood event.

Section 1316 is that section of the National Flood Insurance Act of 1968, as amended, which states that no new flood insurance coverage shall be provided for any property that the Administrator finds has been declared by a duly constituted state or local zoning authority or other authorized public body to be in violation of state or local laws, regulations, or ordinances that intended to discourage or otherwise restrict land development or occupancy in flood-prone areas.

Special Flood Hazard Area (SFHA) means those lands within the jurisdictions of the County subject to inundation by the regulatory flood. The SFHAs of Franklin County and the Towns of Brookville, Cedar Grove, Laurel, Mt. Carmel, and Oldenburg are generally identified as such on the Franklin County, Indiana and Incorporated Areas Flood Insurance Rate Map dated January 16, 2014 as well as any future updates, amendments, or revisions, prepared by the Federal Emergency Management Agency with the most recent date. (These areas are shown on a FHBM or FIRM as Zone A, AE, A1- A30, AH, AR, A99, or AO).

Start of construction includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of a slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, foundations, or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure means a structure that is principally above ground and is enclosed by walls and a roof. The term includes a gas or liquid storage tank, a manufactured home, or a prefabricated building. The term also includes recreational vehicles to be installed on a site for more than 180 days.

Substantial damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial improvement means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures that have incurred "repetitive loss" or "substantial damage" regardless of the actual repair work performed. The term does not include improvements of structures to correct existing violations of state or local health, sanitary, or safety code requirements or any alteration of a "historic structure", provided that the alteration will not preclude the structures continued designation as a "historic structure".

Suspension means the removal of a participating community from the NFIP because the community has not enacted and/or enforced the proper floodplain management regulations required for participation in the NFIP.

Variance is a grant of relief from the requirements of this ordinance, which permits construction in a manner otherwise prohibited by this ordinance where specific enforcement would result in unnecessary hardship.

Violation means the failure of a structure or other development to be fully compliant with this ordinance. A structure or other development without the elevation, other certification, or other evidence of compliance required in this ordinance is presumed to be in violation until such time as that documentation is provided.

Watercourse means a lake, river, creek, stream, wash, channel or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.

Water surface elevation means the height, in relation to the North American Vertical Datum of 1988 (NAVD 88) or National Geodetic Vertical Datum of 1929 (NGVD) (other datum where specified) of floods of various magnitudes and frequencies in the floodplains of riverine areas.

X zone means the area where the flood hazard is less than that in the SFHA. Shaded X zones shown on recent FIRMs (B zones on older FIRMs) designate areas subject to inundation by the flood with a 0.2 percent chance of being equaled or exceeded (the 500-year flood). Unshaded X zones (C zones on older FIRMs) designate areas where the annual exceedance probability of flooding is less than 0.2 percent.

Zone means a geographical area shown on a FHBM or FIRM that reflects the severity or type of flooding in the area.

Zone A (see definition for A zone)

Zone B, C, and X means areas identified in the community as areas of moderate or minimal hazard from the principal source of flood in the area. However, buildings in these zones could be flooded by severe, concentrated rainfall coupled with inadequate local drainage systems. Flood insurance is available in participating communities but is not required by regulation in these zones. (Zone X is used on new and revised maps in place of Zones B and C.)

Article 3. General Provisions.

Section A. Lands to Which This Ordinance Applies.

This ordinance shall apply to all SFHAs and known flood prone areas within the jurisdiction of the Franklin County Area Planning and Zoning Commission including Franklin County and the Towns of Brookville, Cedar Grove, Laurel, Mt. Carmel, and Oldenburg.

Section B. Basis for Establishing Regulatory Flood Data.

This ordinance's protection standard is the regulatory flood. The best available regulatory flood data is listed below. Whenever a party disagrees with the best available data, the party submitting the detailed engineering study needs to replace existing data with better data and submit it to the Indiana Department of Natural Resources for review and approval.

- (1) The regulatory flood elevation, floodway, and fringe limits for the studied SFHAs within the jurisdiction of Franklin County and the Towns of Brookville, Cedar Grove, Laurel, Mt. Carmel, and Oldenburg shall be as delineated on the one-percent annual chance flood profiles in the Flood Insurance Study of Franklin County, Indiana and Incorporated Areas and the corresponding Flood Insurance Rate Map dated January 16, 2014 as well as any future updates, amendments, or revisions, prepared by the Federal Emergency Management Agency with the most recent date.
- (2) The regulatory flood elevation, floodway, and fringe limits for each of the SFHAs within the jurisdiction of Franklin County and the Towns of Brookville, Cedar Grove, Laurel, Mt. Carmel, and Oldenburg, delineated as an "A Zone" on the Franklin County, Indiana and Incorporated Areas Flood Insurance Rate Map dated January 16, 2014 as well as any future updates, amendments, or revisions, prepared by the Federal Emergency Management Agency with the most recent date, shall be according to the best data available as provided by the Indiana Department of Natural Resources; provided the upstream drainage area from the subject site is greater than one square mile.
- (3) In the absence of a published FEMA map, or absence of identification on a FEMA map, the regulatory flood elevation, floodway, and fringe limits of any watercourse in the community's known flood prone areas shall be according to the best data available as provided by the Indiana Department of Natural Resources; provided the upstream drainage area from the subject site is greater than one square mile.

Section C. Establishment of Floodplain Development Permit.

A Floodplain Development Permit shall be required in conformance with the provisions of this ordinance prior to the commencement of any development activities in areas of special flood hazard.

Section D. Compliance.

No structure shall hereafter be located, extended, converted or structurally altered within the SFHA without full compliance with the terms of this ordinance and other applicable regulations. No land or stream within the SFHA shall hereafter be altered without full compliance with the terms of this ordinance and other applicable regulations.

Section E. Abrogation and Greater Restrictions.

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

Section F. Discrepancy between Mapped Floodplain and Actual Ground Elevations.

- (1) In cases where there is a discrepancy between the mapped floodplain (SFHA) on the FIRM and the actual ground elevations, the elevation provided on the profiles shall govern.

- (2) If the elevation of the site in question is below the base flood elevation, that site shall be included in the SFHA and regulated accordingly.
- (3) If the elevation (natural grade) of the site in question is above the base flood elevation, that site shall be considered outside the SFHA and the floodplain regulations will not be applied. The property owner should be advised to apply for a LOMA.

Section G. Interpretation.

In the interpretation and application of this ordinance all provisions shall be:

- (1) Considered as minimum requirements.
- (2) Liberally construed in favor of the governing body.
- (3) Deemed neither to limit nor repeal any other powers granted under state statutes.

Section H. Warning and Disclaimer of Liability.

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on available information derived from engineering and scientific methods of study. Larger floods can and will occur on rare occasions. Therefore, this ordinance does not create any liability on the part of Franklin County and the Towns of Brookville, Cedar Grove, Laurel, Mt. Carmel, and Oldenburg, the Indiana Department of Natural Resources, or the State of Indiana, for any flood damage that results from reliance on this ordinance or any administrative decision made lawfully thereunder.

Section I. Penalties for Violation.

Failure to obtain a Floodplain Development Permit in the SFHA or failure to comply with the requirements of a Floodplain Development Permit or conditions of a variance shall be deemed to be a violation of this ordinance. All violations shall be considered a common nuisance and be treated as such in accordance with the provisions of the Zoning Code for Franklin County. All violations shall be punishable by a fine not exceeding \$2,500.00.

- (1) A separate offense shall be deemed to occur for each day the violation continues to exist.
- (2) The Franklin County Area Planning and Zoning Commission shall inform the owner that any such violation is considered a willful act to increase flood damages and therefore may cause coverage by a Standard Flood Insurance Policy to be suspended.
- (3) Nothing herein shall prevent Franklin County and the Towns of Brookville, Cedar Grove, Laurel, Mt. Carmel, and Oldenburg from taking such other lawful action to prevent or remedy any violations. All costs connected therewith shall accrue to the person or persons responsible.

Section J. Increased Cost of Compliance (ICC).

In order for buildings to qualify for a claim payment under ICC coverage as a "repetitive loss structure", the National Reform Act of 1994 requires that the building be covered by a contract for flood insurance and incur flood-related damages on two occasions during a 10-year period ending on the date of the event for which the second claim is made, in which the cost of repairing the flood damage, on the average, equaled or exceeded 25 percent of the market value of the building at the time of each such flood event.

Article 4. Administration.

Section A. Designation of Administrator.

The Board of Commissioners of Franklin County, Indiana hereby appoints the Executive Director of the Franklin County Area Planning & Zoning Commission to administer and implement the provisions of this ordinance and is herein referred to as the Floodplain Administrator.

Section B. Permit Procedures.

Application for a Floodplain Development Permit shall be made to the Floodplain Administrator on forms furnished by him or her prior to any development activities, and may include, but not be limited to, the following: plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, earthen fill, storage of materials or equipment, drainage facilities, and the location of the foregoing. Specifically the following information is required:

(1) Application stage.

- a). A description of the proposed development.
- b). Location of the proposed development sufficient to accurately locate property and structure in relation to existing roads and streams.
- c). A legal description of the property site.
- d). A site development plan showing existing and proposed development locations and existing and proposed land grades.
- e). Elevation of the top of the lowest floor (including basement) of all proposed buildings. Elevation should be in NAVD 88 or NGVD.
- f). Elevation (in NAVD 88 or NGVD) to which any non-residential structure will be floodproofed.
- g). Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

(2) Construction stage.

Upon placement of the lowest floor; or floodproofing, it shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of the NAVD 88 or NGVD elevation of the lowest floor or floodproofed elevation, as built. Said certification shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by the same. When floodproofing is utilized for a particular structure said certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same. Any work undertaken prior to submission of the certification shall be at the permit holders' risk. (The Floodplain Administrator shall review the lowest floor and floodproofing elevation survey data submitted.) The permit holder shall correct deficiencies detected by such review before any further work is allowed to proceed. Failure to submit the survey or failure to make said corrections required hereby shall be cause to issue a stop-work order for the project.

Section C. Duties and Responsibilities of the Floodplain Administrator.

The Floodplain Administrator and/or designated staff is hereby authorized and directed to enforce the provisions of this ordinance. The administrator is further authorized to render interpretations of this ordinance, which are consistent with its spirit and purpose.

Duties and Responsibilities of the Floodplain Administrator shall include, but not be limited to:

- (1) Review all floodplain development permits to assure that the permit requirements of this ordinance have been satisfied.

- (2) Inspect and inventory damaged structures in the SFHA and complete substantial damage determinations.
- (3) Ensure that construction authorization has been granted by the Indiana Department of Natural Resources for all development projects subject to Article 5, Section E and G (1) of this ordinance, and maintain a record of such authorization (either copy of actual permit or floodplain analysis/regulatory assessment).
- (4) Ensure that all necessary federal or state permits have been received prior to issuance of the local floodplain development permit. Copies of such permits are to be maintained on file with the floodplain development permit.
- (5) Notify adjacent communities and the State Floodplain Coordinator prior to any alteration or relocation of a watercourse, and submit copies of such notifications to FEMA.
- (6) Maintain for public inspection and furnish upon request local permit documents, damaged structure inventories, substantial damage determinations, regulatory flood data, SFHA maps, Letters of Map Amendment (LOMA), Letters of Map Revision (LOMR), copies of DNR permits and floodplain analysis and regulatory assessments (letters of recommendation), federal permit documents, and "as-built" elevation and floodproofing data for all buildings constructed subject to this ordinance.
- (7) Utilize and enforce all Letters of Map Revision (LOMR) or Physical Map Revisions (PMR) issued by FEMA for the currently effective SFHA maps of the community.
- (8) Assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished.
- (9) Verify and record the actual elevation of the lowest floor (including basement) of all new or substantially improved structures, in accordance with Article 4 Section B.
- (10) Verify and record the actual elevation to which any new or substantially improved structures have been floodproofed in accordance with Article 4, Section B.
- (11) Review certified plans and specifications for compliance.
- (12) Stop Work Orders
 - a). Upon notice from the floodplain administrator, work on any building, structure or premises that is being done contrary to the provisions of this ordinance shall immediately cease.
 - b). Such notice shall be in writing and shall be given to the owner of the property, or to his agent, or to the person doing the work, and shall state the conditions under which work may be resumed.
- (13) Revocation of Permits
 - a). The floodplain administrator may revoke a permit or approval, issued under the provisions of the ordinance, in cases where there has been any false statement or misrepresentation as to the material fact in the application or plans on which the permit or approval was based.
 - b). The floodplain administrator may revoke a permit upon determination by the floodplain administrator that the construction, erection, alteration, repair, moving, demolition, installation, or replacement of the structure for which the permit was issued is in violation of, or not in conformity with, the provisions of this ordinance.

- (14) Inspect sites for compliance. For all new and/or substantially improved buildings constructed in the SFHA, inspect before, during and after construction. Authorized Town and County officials shall have the right to enter and inspect properties located in the SFHA.

Article 5. Provisions for Flood Hazard Reduction.

Section A. General Standards.

In all SFHAs and known flood prone areas the following provisions are required:

- (1) New construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure.
- (2) Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable state requirements for resisting wind forces.
- (3) New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage below the FPG.
- (4) New construction and substantial improvements shall be constructed by methods and practices that minimize flood damage.
- (5) Electrical, heating, ventilation, plumbing, air conditioning equipment, utility meters, and other service facilities shall be located at/above the FPG or designed so as to prevent water from entering or accumulating within the components below the FPG. Water and sewer pipes, electrical and telephone lines, submersible pumps, and other waterproofed service facilities may be located below the FPG.
- (6) New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
- (7) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
- (8) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.
- (9) Any alteration, repair, reconstruction or improvements to a structure that is in compliance with the provisions of this ordinance shall meet the requirements of "new construction" as contained in this ordinance.
- (10) Any alteration, repair, reconstruction or improvement to a structure that is not in compliance with the provisions of this ordinance, shall be undertaken only if said non-conformity is not further extended, or replaced.

Section B. Specific Standards.

In all SFHAs, the following provisions are required:

- (1) In addition to the requirements of Article 5, Section A, all structures to be located in the SFHA shall be protected from flood damage below the FPG. This building protection requirement applies to the following situations:
 - a). Construction or placement of any new structure having a floor area greater than 400 square feet.

- b). Addition or improvement made to any existing structure:
 - (i) where the cost of the addition or improvement equals or exceeds 50% of the value of the existing structure (excluding the value of the land).
 - (ii) with a previous addition or improvement constructed since the community's first floodplain ordinance.
 - c). Reconstruction or repairs made to a damaged structure where the costs of restoring the structure to its before damaged condition equals or exceeds 50% of the market value of the structure (excluding the value of the land) before damage occurred.
 - d). Installing a travel trailer or recreational vehicle on a site for more than 180 days.
 - e). Installing a manufactured home on a new site or a new manufactured home on an existing site. This ordinance does not apply to returning the existing manufactured home to the same site it lawfully occupied before it was removed to avoid flood damage.
 - f). Reconstruction or repairs made to a repetitive loss structure.
- (2) **Residential Construction.** New construction or substantial improvement of any residential structure (or manufactured home) shall have the lowest floor, including basement, at or above the FPG (two feet above the base flood elevation). Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with the standards of Article 5, Section B (4).
- (3) **Non-Residential Construction.** New construction or substantial improvement of any commercial, industrial, or non-residential structure (or manufactured home) shall either have the lowest floor, including basement, elevated to or above the FPG (two feet above the base flood elevation) or be floodproofed to or above the FPG. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with the standards of Article 5, Section B (4). Structures located in all "A Zones" may be floodproofed in lieu of being elevated if done in accordance with the following:
- a). A Registered Professional Engineer or Architect shall certify that the structure has been designed so that below the FPG, the structure and attendant utility facilities are watertight and capable of resisting the effects of the regulatory flood. The structure design shall take into account flood velocities, duration, rate of rise, hydrostatic pressures, and impacts from debris or ice. Such certification shall be provided to the official as set forth in Article 4, Section C (10).
 - b). Floodproofing measures shall be operable without human intervention and without an outside source of electricity.
- (4) **Elevated Structures.** New construction or substantial improvements of elevated structures shall have the lowest floor at or above the FPG.
- Elevated structures with fully enclosed areas formed by foundation and other exterior walls below the flood protection grade shall be designed to preclude finished living space and designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls. Designs must meet the following minimum criteria:
- a). Provide a minimum of two openings located in a minimum of two exterior walls (having a total net area of not less than one square inch for every one square foot of enclosed area).

- b). The bottom of all openings shall be no more than one foot above the exterior grade or the interior grade immediately beneath each opening, whichever is higher.
 - c). Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both directions.
 - d). Access to the enclosed area shall be the minimum necessary to allow for parking for vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator).
 - e). The interior portion of such enclosed area shall not be partitioned or finished into separate rooms.
 - f). The interior grade of such enclosed area shall be at an elevation at or higher than the exterior grade.
 - g). Where elevation requirements exceed 6 feet above the highest adjacent grade, a copy of the legally recorded deed restriction prohibiting the conversion of the area below the lowest floor to a use or dimension contrary to the structure's originally approved design, shall be presented as a condition of issuance of the final Certificate of Occupancy.
- (5) **Structures Constructed on Fill.** A residential or nonresidential structure may be constructed on a permanent land fill in accordance with the following:
- a). The fill shall be placed in layers no greater than 1 foot deep before compacting to 95% of the maximum density obtainable with either the Standard or Modified Proctor Test method.
 - b). The fill should extend at least ten feet beyond the foundation of the structure before sloping below the FPG.
 - c). The fill shall be protected against erosion and scour during flooding by vegetative cover, riprap, or bulkheading. If vegetative cover is used, the slopes shall be no steeper than 3 horizontal to 1 vertical.
 - d). The fill shall not adversely affect the flow of surface drainage from or onto neighboring properties.
 - e). The top of the lowest floor including basements shall be at or above the FPG.
- (6) **Standards for Manufactured Homes and Recreational Vehicles.** Manufactured homes and recreational vehicles to be installed or substantially improved on a site for more than 180 days must meet one of the following requirements:
- a). The manufactured home shall be elevated on a permanent foundation such that the lowest floor shall be at or above the FPG and securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement. This requirement applies to all manufactured homes to be placed on a site;
 - (i) outside a manufactured home park or subdivision;
 - (ii) in a new manufactured home park or subdivision;
 - (iii) in an expansion to an existing manufactured home park or subdivision; or
 - (iv) in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood.

- b). The manufactured home shall be elevated so that the lowest floor of the manufactured home chassis is supported by reinforced piers or other foundation elevations that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement. This requirement applies to all manufactured homes to be placed on a site in an existing manufactured home park or subdivision that has not been substantially damaged by a flood.
- c). Manufactured homes with fully enclosed areas formed by foundation and other exterior walls below the flood protection grade shall be designed to preclude finished living space and designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls as required for elevated structures in Article 5, Section B. 4.
- d). Flexible skirting and rigid skirting not attached to the frame or foundation of a manufactured home are not required to have openings.
- e). Recreational vehicles placed on a site shall either:
 - (i) be on site for less than 180 days; and,
 - (ii) be fully licensed and ready for highway use (defined as being on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions); or
 - (iii) meet the requirements for "manufactured homes" as stated earlier in this section.

Section C. Standards for Subdivision Proposals.

- (1) All subdivision proposals shall be consistent with the need to minimize flood damage.
- (2) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage.
- (3) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards.
- (4) Base flood elevation data shall be provided for subdivision proposals and other proposed development (including manufactured home parks and subdivisions), which is greater than the lesser of fifty lots or five acres.
- (5) All subdivision proposals shall minimize development in the SFHA and/or limit density of development permitted in the SFHA.
- (6) All subdivision proposals shall ensure safe access into/out of SFHA for pedestrians and vehicles (especially emergency responders).

Section D. Critical Facility.

Construction of new critical facilities shall be, to the extent possible, located outside the limits of the SFHA. Construction of new critical facilities shall be permissible within the SFHA if no feasible alternative site is available. Critical facilities constructed within the SFHA shall have the lowest floor elevated to or above the FPG at the site. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters. Access routes elevated to or above the FPG shall be provided to all critical facilities to the extent possible.

Section E. Standards for Identified Floodways.

Located within SFHAs, established in Article 3, Section B, are areas designated as floodways. The floodway is an extremely hazardous area due to the velocity of floodwaters, which carry debris, potential projectiles, and has erosion potential. If the site is in an identified floodway, the Floodplain Administrator shall require the applicant to forward the application, along with all pertinent plans and specifications, to the Indiana Department of Natural Resources and apply for a permit for construction in a floodway. Under the provisions of IC 14-28-1 a permit for construction in a floodway from the Indiana Department of Natural Resources is required prior to the issuance of a local building permit for any excavation, deposit, construction, or obstruction activity located in the floodway. This includes land preparation activities such as filling, grading, clearing and paving etc. undertaken before the actual start of construction of the structure. However, it does exclude non-substantial additions/improvements to existing (lawful) residences in a non-boundary river floodway. (IC 14-28-1-26 allows construction of non-substantial additions/ improvements to residences in a non-boundary river floodway without obtaining a permit for construction in the floodway from the Indiana Department of Natural Resources. Please note that if fill is needed to elevate an addition above the existing grade, prior approval (construction in a floodway permit) for the fill is required from the Indiana Department of Natural Resources.)

No action shall be taken by the Floodplain Administrator until a permit (when applicable) has been issued by the Indiana Department of Natural Resources granting approval for construction in the floodway. Once a permit for construction in a floodway has been issued by the Indiana Department of Natural Resources, the Floodplain Administrator may issue the local Floodplain Development Permit, provided the provisions contained in Article 5 of this ordinance have been met. The Floodplain Development Permit cannot be less restrictive than the permit for construction in a floodway issued by the Indiana Department of Natural Resources. However, a community's more restrictive regulations (if any) shall take precedence.

No development shall be allowed which acting alone or in combination with existing or future development, will increase the regulatory flood more than 0.14 of one foot.

For all projects involving channel modifications or fill (including levees) the Franklin County Area Planning and Zoning Commission shall submit the data and request that the Federal Emergency Management Agency revise the regulatory flood data.

Section F. Standards for Identified Fringe.

If the site is located in an identified fringe, then the Floodplain Administrator may issue the local Floodplain Development Permit provided the provisions contained in Article 5 of this ordinance have been met. The key provision is that the top of the lowest floor of any new or substantially improved structure shall be at or above the FPG.

Section G. Standards for SFHAs Without Established Base Flood Elevation and/or Floodways/Fringes.

- (1) Drainage area upstream of the site is greater than one square mile:

If the site is in an identified floodplain where the limits of the floodway and fringe have not yet been determined, and the drainage area upstream of the site is greater than one square mile, the Floodplain Administrator shall require the applicant to forward the application, along with all pertinent plans and specifications, to the Indiana Department of Natural Resources for review and comment.

No action shall be taken by the Floodplain Administrator until either a permit for construction in a floodway or a floodplain analysis/regulatory assessment citing the one-percent annual chance flood elevation and the recommended Flood Protection Grade has been received from the Indiana Department of Natural Resources.

Once the Floodplain Administrator has received the proper permit for construction in a floodway or floodplain analysis/regulatory assessment approving the proposed development, a Floodplain Development Permit may be issued provided the conditions of the Floodplain Development Permit

are not less restrictive than the conditions received from the Indiana Department of Natural Resources and the provisions contained in Article 5 of this ordinance have been met.

- (2) Drainage area upstream of the site is less than one square mile:

If the site is in an identified floodplain where the limits of the floodway and fringe have not yet been determined and the drainage area upstream of the site is less than one square mile, the Floodplain Administrator shall require the applicant to provide an engineering analysis showing the limits of the floodplain and one-percent annual chance flood elevation for the site.

Upon receipt, the Floodplain Administrator may issue the local Floodplain Development Permit, provided the provisions contained in Article 5 of this ordinance have been met.

- (3) The total cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the regulatory flood more than 0.14 of one foot and will not increase flood damages or potential flood damages.

Section H. Standards for Flood Prone Areas.

All development in known flood prone areas not identified on FEMA maps, or where no FEMA published map is available, shall meet applicable standards as required per Article 5.

Article 6. Variance Procedures.

Section A. Designation of Variance and Appeals Board.

The Board of Zoning Appeals shall hear and decide appeals and requests for variances from requirements of this ordinance.

Section B. Duties of Variance and Appeals Board.

The board shall hear and decide appeals when it is alleged an error in any requirement, decision, or determination is made by the Floodplain Administrator in the enforcement or administration of this ordinance. Any person aggrieved by the decision of the board may appeal such decision to the Franklin County Circuit Court.

Section C. Variance Procedures.

In passing upon such applications, the Board of Zoning Appeals shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this ordinance, and;

- (1) The danger of life and property due to flooding or erosion damage.
- (2) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
- (3) The importance of the services provided by the proposed facility to the community.
- (4) The necessity to the facility of a waterfront location, where applicable.
- (5) The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage.
- (6) The compatibility of the proposed use with existing and anticipated development,
- (7) The relationship of the proposed use to the comprehensive plan and floodplain management program for that area.

- (8) The safety of access to the property in times of flood for ordinary and emergency vehicles.
- (9) The expected height, velocity, duration, rate of rise, and sediment of transport of the floodwaters at the site.
- (10) The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

Section D. Conditions for Variances.

- (1) Variances shall only be issued when there is:
 - a). A showing of good and sufficient cause.
 - b). A determination that failure to grant the variance would result in exceptional hardship.
 - c). A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud or victimization of the public, or conflict with existing laws or ordinances.
- (2) No variance for a residential use within a floodway subject to Article 5, Section E or Section G (1) of this ordinance may be granted.
- (3) Any variance granted in a floodway subject to Article 5, Section E or Section G (1) of this ordinance will require a permit from the Indiana Department of Natural Resources.
- (4) Variances to the Provisions for Flood Hazard Reduction of Article 5, Section B, may be granted only when a new structure is to be located on a lot of one-half acre or less in size, contiguous to and surrounded by lots with existing structures constructed below the flood protection grade.
- (5) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- (6) Variances may be granted for the reconstruction or restoration of any structure individually listed on the National Register of Historic Places or the Indiana State Register of Historic Sites and Structures.
- (7) Any applicant to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation to which the lowest floor is to be built and stating that the cost of the flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation (See Article 6, Section E).
- (8) The Floodplain Administrator shall maintain the records of appeal actions and report any variances to the Federal Emergency Management Agency or the Indiana Department of Natural Resources upon request (See Article 6, Section E).

Section E. Variance Notification.

Any applicant to whom a variance is granted shall be given written notice over the signature of a community official that:

- (1) The issuance of a variance to construct a structure below the base flood elevation will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage; and;

- (2) Such construction below the base flood level increases risks to life and property. A copy of the notice shall be recorded by the Floodplain Administrator in the Office of the County Recorder and shall be recorded in a manner so that it appears in the chain of title of the affected parcel of land.

The Floodplain Administrator will maintain a record of all variance actions, including justification for their issuance, and report such variances issued in the community's biennial report submission to the Federal Emergency Management Agency.

Section F. Historic Structure.

Variances may be issued for the repair or rehabilitation of "historic structures" upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as an "historic structure" and the variance is the minimum to preserve the historic character and design of the structure.

Section G. Special Conditions.

Upon the consideration of the factors listed in Article 6, and the purposes of this ordinance, the Board of Zoning Appeals may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.

Article 7. Severability.

If any section, clause, sentence, or phrase of the Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this Ordinance.

Article 8. Effective Date.

This ordinance shall take effect upon its passage by the Board of Commissioners.

Passed and enacted by the Board of Commissioners of Franklin County, Indiana on the
16th day of September, 2013

Board of Commissioners
Franklin County, Indiana

Thomas E. Wilson

Tom Linkel

Scott McDonough
Scott McDonough

Attest:

Steve Brack, Auditor

ORDINANCE OR RESOLUTION FOR APPROPRIATIONS AND TAX RATE

Ordinance Number: 2013-23

Be it ordained by the **Franklin County Council** that for the expenses of **FRANKLIN COUNTY** for the year ending December 31, **2014** the sums herein specified are hereby appropriated and ordered set apart out of the several funds herein named and for the purposes herein specified, subject to the laws governing the same. Such sums herein appropriated shall be held to include all expenditures authorized to be made during the year, unless otherwise expressly stipulated and provided for by law. In addition, for the purposes of raising revenue to meet the necessary expense of **FRANKLIN COUNTY**, the property tax levies and property tax rates as herein specified are included herein. Budget Form 4-B for all funds must be completed and submitted in the manner prescribed by the Department of Local Government Finance.

This ordinance shall be in full force and effect from and after its passage and approval by the **Franklin County Council**.

Name of Adopting Entity	Select Type of Fiscal Body	Date of Adoption
Franklin County Council	County Council	10/21/2013

DLGF-Reviewed Funds

Fund Code	Fund Name	Adopted Budget	Adopted Tax Levy	Adopted Tax Rate
0101	GENERAL <i>4,999,859</i>	\$4,888,348	\$5,481,000	0.7748
0102	ELECTION/REGISTRATION	\$149,421	\$150,000	0.0213
0124	2015 REASSESSMENT	\$246,578	\$171,304	0.0243
0182	BOND #2	\$423,170	\$400,000	0.0566
0702	HIGHWAY <i>1,772,350</i>	\$1,536,350	\$0	0.0000
0706	LOCAL ROAD & STREET	\$320,000	\$0	0.0000
0790	CUMULATIVE BRIDGE	\$305,000	\$325,438	0.0460
0801	HEALTH	\$236,651	\$325,000	0.0460
1301	PARK & RECREATION <i>212,983</i>	\$211,983	\$205,000	0.0290
2391	CUMULATIVE CAPITAL DEVELOPMENT	\$132,700	\$111,781	0.0158
2402	ECONOMIC DEVELOPMENT	\$52,050	\$0	0.0000
6421	DISTRICT SOLID WASTE MANAGEMENT	\$25,603	\$0	0.0000

Home-Ruled Funds (Not Reviewed by DLGF)

Fund Code	Fund Name	Adopted Budget
9505	Home-Rule Fund #6	\$13,000
9514	Home-Rule Fund #15	\$9,500
9519	Home-Rule Fund #20	\$8,000
9500	Home-Rule Fund #1	\$860,000
9520	Home-Rule Fund #21 <i>JK DM B DK RO</i>	<i>\$8000</i> \$0
9513	Home-Rule Fund #14	\$2,365
9506	Home-Rule Fund #7	\$10,000
9517	Home-Rule Fund #18	\$0
9511	Home-Rule Fund #12	\$77,000
9508	Home-Rule Fund #9	\$13,500
9501	Home-Rule Fund #2	\$42,813
9512	Home-Rule Fund #13	\$21,000
9510	Home-Rule Fund #11 <i>JK DM B DK Nm RO</i>	<i>10,385 -</i> \$2,385 <i>x</i>
9516	Home-Rule Fund #17	\$456,695
9509	Home-Rule Fund #10	\$23,383
9503	Home-Rule Fund #4	\$17,406
9515	Home-Rule Fund #16	\$7,000
9518	Home-Rule Fund #19	\$2,029,509
9504	Home-Rule Fund #5	\$389,783
9507	Home-Rule Fund #8	\$18,500
9502	Home-Rule Fund #3	\$3,000

		Signature
Jeff Koch	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	<i>Jeff C Koch</i>
Joe Sizemore	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	<i>Joe Sizemore</i>
Dean McQueen	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	<i>Dean McQueen</i>
Daryl Kramer	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	<i>Daryl Kramer</i>
Rebecca Oglesby	Aye <input type="checkbox"/> Nay <input checked="" type="checkbox"/> Abstain <input type="checkbox"/>	<i>Rebecca Oglesby</i>
Hollie Maxie	Aye <input type="checkbox"/> Nay <input checked="" type="checkbox"/> Abstain <input type="checkbox"/>	<i>Hollie Maxie</i>
Aaron Leffingwell	Aye <input type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	

ATTEST		
Name	Title	Signature
Stephen Brack	Auditor	<i>Stephen Brack</i>

FILED

OCT 7 2013

ORDINANCE NO. 2013- 24

2013003446 ORDI \$0.00
10/07/2013 01:12:42P 1 PGS
PAMELA K BENEKER
FRANKLIN County Recorder IN
Recorded as Presented



AN ORDINANCE PROVIDING FOR

REDISTRICTING OF THE FRANKLIN COUNTY COUNCIL

Stephen Brock
AUDITOR, FRANKLIN COUNTY

WHEREAS, it is determined that the County Council of Franklin County, Indiana, is in need of redistricting, pursuant to I.C. § 36-2-3-4(f) and I.C. § 36-2-3-4.7:

BE IT NOW ORDAINED by the Board of Commissioners of Franklin County, Indiana:

- A) All prior ordinances and regulations relating to County Council districts are hereby repealed.
- B) Pursuant to Indiana Code, the Council shall have seven members, three at large members and four members elected from districts.
- C) The three at large Council positions shall remain in full effect, current members shall serve the remainder of their current terms, effective immediately. These seats shall be up for election in 2016 and every four years thereafter.
- D) For the remaining four seats Franklin County shall be divided into four County Council election districts designated numerically as follows:
 - 1. District 1: This district shall consist of the following townships: Butler, Laurel, Blooming Grove, Metamora, Fairfield.
 - 2. District 2: This district shall consist of the following townships: Highland, Whitewater, Springfield, Bath.
 - 3. District 3: This district shall consist of the following townships: Salt Creek, Ray, Posey.
 - 4. District 4: This district shall consist of the following township: Brookville.

For election purposes, for the at-large seats, this ordinance shall take effect January 1, 2014, with the actual districts becoming effective on January 1, 2015. These members shall run for office in 2014 and every four years thereafter. Current members shall serve the remainder of their current terms.

BE IT NOW ORDAINED AND ADOPTED this 7 day of October, 2013, by,

BOARD OF COUNTY COMMISSIONERS
OF FRANKLIN COUNTY, INDIANA

Tom Wilson

TOM WILSON

Tom Linkel

TOM LINKEL

SCOTT MCDONOUGH

ATTEST:

Steve Brock

STEVE BRACK, AUDITOR
FRANKLIN COUNTY, INDIANA

Auditor

FILED

OCT 7 2013

Stephen Brack
AUDITOR, FRANKLIN COUNTY

2013003447 ORDI \$0.00
10/07/2013 01:15:05P 1 PGS
PAMELA K BENEKER
FRANKLIN County Recorder IN
Recorded as Presented



ORDINANCE NO. 2013- 25

REPEAL ORDINANCE NO. 2012-01

FRANKLIN COUNTY BOARD OF COMMISSIONERS

Dated this day 7th day of October 2013

Tom Wilson

Tom Wilson

Tom Linkel

Tom Linkel

Scott McDonough

Attest:

Steve Brack

Steve Brack, Auditor

Auditor

FILED

OCT 7 2013

ORDINANCE NO. 2013- 26

2013003448 ORDI \$0.00
10/07/2013 01:16:09P 1 PGS
PAMELA K BENEKER
FRANKLIN County Recorder IN
Recorded as Presented



FRANKLIN COUNTY BOARD OF COMMISSIONERS

Stephen Brack
AUDITOR, FRANKLIN COUNTY

AN ORDINANCE ADOPTING THE COUNTY OF FRANKLIN, INDIANA
STANDARD/HIGHWAY PERSONNEL POLICIES HANDBOOK

WHEREAS the County of Franklin, Indiana is an Equal Opportunity Employer, and

WHEREAS it is the intent of Franklin County, Indiana to comply with applicable federal and State of Indiana employment laws and regulations, and

WHEREAS the County of Franklin, Indiana provides Franklin County employees with information about established terms and conditions of employment and employee benefits.

NOW, THEREFORE BE IT ORDAINED AND ESTABLISHED BY THE COUNTY OF FRANKLIN, INDIANA BOARD OF COMMISSIONERS THAT:

The attached County of Franklin, Indiana Standard/Highway Personnel Policies Handbook is hereby adopted this 7th day of October, 2013; and shall be in full force and effect upon adoption; and shall supersede and repeal existing oral or written personnel policies and procedures.

BOARD OF COMMISSIONERS
FRANKLIN COUNTY, INDIANA

Thomas Wilson
Thomas Wilson, Chairman

ATTEST:

Thomas Linkel
Thomas Linkel

Stephen Brack
Stephen Brack, Auditor

Scott McDonough

Auditor

FILED

OCT 7 2013

ORDINANCE NO. 2013- 27

2013003449 ORDI \$0.00
10/07/2013 01:17:07P 1 PGS
PAMELA K BENEKER
FRANKLIN County Recorder IN
Recorded as Presented



Stephen Brack
AUDITOR, FRANKLIN COUNTY

FRANKLIN COUNTY BOARD OF COMMISSIONERS

AN ORDINANCE ADOPTING THE COUNTY OF FRANKLIN, INDIANA
SHERIFF/JAIL/E-911 PERSONNEL POLICIES HANDBOOK

WHEREAS the County of Franklin, Indiana is an Equal Opportunity Employer, and

WHEREAS it is the intent of Franklin County, Indiana to comply with applicable federal and State of Indiana employment laws and regulations, and

WHEREAS the County of Franklin, Indiana provides Franklin County employees with information about established terms and conditions of employment and employee benefits.

NOW, THEREFORE BE IT ORDAINED AND ESTABLISHED BY THE COUNTY OF FRANKLIN, INDIANA BOARD OF COMMISSIONERS THAT:

The attached County of Franklin, Indiana Sheriff/Jail/E-911 Personnel Policies Handbook is hereby adopted this 7th day of October, 2013; and shall be in full force and effect upon adoption; and shall supersede and repeal existing oral or written personnel policies and procedures.

BOARD OF COMMISSIONERS
FRANKLIN COUNTY, INDIANA

Thomas Wilson
Thomas Wilson, Chairman

ATTEST:

Thomas Linkel
Thomas Linkel

Stephen Brack
Stephen Brack, Auditor

Scott McDonough

Auditor

FILED

OCT 7 2013

ORDINANCE NO. 2013- 28

2013003450 ORDI \$0.00
10/07/2013 01:18:08P 1 PGS
PAMELA K BENEKER
FRANKLIN County Recorder IN
Recorded as Presented



Stephen Brack
AUDITOR, FRANKLIN COUNTY

FRANKLIN COUNTY BOARD OF COMMISSIONERS

AN ORDINANCE DISSOLVING THE COUNTY SICK BANK

WHEREAS the County of Franklin, Indiana is an Equal Opportunity Employer, and

WHEREAS it is the intent of Franklin County, Indiana to comply with applicable federal and State of Indiana employment laws and regulations, and

WHEREAS the County of Franklin, Indiana provides Franklin County employees with information about established terms and conditions of employment and employee benefits, and

WHEREAS it is necessary to repeal personnel policies from time-to-time.

NOW, THEREFORE BE IT ORDAINED AND ESTABLISHED BY THE COUNTY OF FRANKLIN, INDIANA BOARD OF COMMISSIONERS THAT:

The County Sick Bank is hereby dissolved, and the remaining days in the sick bank shall be credited as personal days to those employees who contributed according to the County Auditor's attached record of days from employees who voluntarily contributed.

This Ordinance shall be in full force and effect on and after adoption; and shall supersede existing oral or written personnel policies and procedures.

**BOARD OF COMMISSIONERS
FRANKLIN COUNTY, INDIANA**

Tom Linkel

Tom Linkel

ATTEST:

Scott McDonough

Stephen Brack

Stephen Brack, Auditor

Thomas Wilson

Thomas Wilson

Auditor

FILED

NOV 4 2013

ORDINANCE NO. 2013- 29

2013003705 ORDI \$0.00
11/04/2013 02:36:20P 2 PGS
PAMELA K BENEKER
FRANKLIN County Recorder IN
Recorded as Presented



Stephen Brock
AUDITOR, FRANKLIN COUNTY

FRANKLIN COUNTY BOARD OF COMMISSIONERS

**AN ORDINANCE AMENDING THE COUNTY OF FRANKLIN, INDIANA
STANDARD/HIGHWAY PERSONNEL POLICIES HANDBOOK**

WHEREAS the County of Franklin, Indiana is an Equal Opportunity Employer, and

WHEREAS it is the intent of Franklin County, Indiana to comply with applicable federal and State of Indiana employment laws and regulations, and

WHEREAS the County of Franklin, Indiana provides Franklin County employees with information about established terms and conditions of employment and employee benefits, and

WHEREAS the County Board of Commissioners adopted the County Personnel policies on October 7, 2013; and

WHEREAS it is necessary to amend personnel policies from time-to time

NOW, THEREFORE BE IT ORDAINED AND ESTABLISHED BY THE COUNTY OF FRANKLIN, INDIANA BOARD OF COMMISSIONERS THAT:

The attached County of Franklin, Indiana Personnel Policy sections and replacement pages are hereby adopted and shall be in full force and effect on and after adoption; and shall replace and supersede existing oral or written personnel policies and procedures:

- | | |
|--------|-----------------------------------|
| 3.18.1 | Overtime |
| 3.18.2 | Compensatory Time |
| 3.18.3 | Maximum Compensatory Time Accrual |

EFFECTIVE DATE

This Ordinance shall be in full force and effect after its adoption by the Board of County Commissioners.

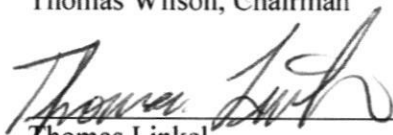
ADOPTED this 4th day of November 2013.

Auditor

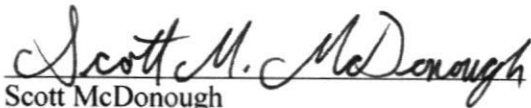
**BOARD OF COMMISSIONERS
FRANKLIN COUNTY, INDIANA**



Thomas Wilson, Chairman



Thomas Linkel



Scott McDonough

ATTEST:



Stephen Brack, Auditor

FILED

NOV 4 2013

Stephen Brock
AUDITOR, FRANKLIN COUNTY

ORDINANCE NO. 2013- 30

2013003704 ORDI \$0.00
11/04/2013 02:35:09P 2 PGS
PAMELA K BENEKER
FRANKLIN County Recorder IN
Recorded as Presented



FRANKLIN COUNTY BOARD OF COMMISSIONERS

**AN ORDINANCE AMENDING THE COUNTY OF FRANKLIN, INDIANA
SHERIFF/JAIL/E-911 PERSONNEL POLICIES HANDBOOK**

WHEREAS the County of Franklin, Indiana is an Equal Opportunity Employer, and

WHEREAS it is the intent of Franklin County, Indiana to comply with applicable federal and State of Indiana employment laws and regulations, and

WHEREAS the County of Franklin, Indiana provides Franklin County employees with information about established terms and conditions of employment and employee benefits, and

WHEREAS the County Board of Commissioners adopted the County Personnel policies on October 7, 2013; and

WHEREAS it is necessary to amend personnel policies from time-to time

NOW, THEREFORE BE IT ORDAINED AND ESTABLISHED BY THE COUNTY OF FRANKLIN, INDIANA BOARD OF COMMISSIONERS THAT:

The attached County of Franklin, Indiana Personnel Policy sections and replacement pages are hereby adopted and shall be in full force and effect on and after adoption; and shall replace and supersede existing oral or written personnel policies and procedures:

- | | |
|--------|--|
| 3.18.1 | Overtime for Sheriff Merit Officers and Corrections Officers |
| 3.18.2 | Overtime for E-911 Employees |
| 3.18.4 | Maximum Compensatory Time Accrual |


EFFECTIVE DATE

This Ordinance shall be in full force and effect after its adoption by the Board of County Commissioners.

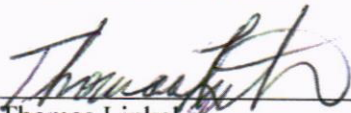
ADOPTED this 4th day of November 2013.

Auditor


**BOARD OF COMMISSIONERS
FRANKLIN COUNTY, INDIANA**



Thomas Wilson, ~~Chairman~~

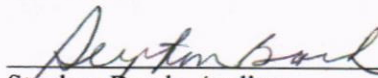


Thomas Linkel



Scott McDonough

ATTEST:



Stephen Brack, Auditor

Marilyn

OK

w/o raise

2014 SALARY ORDINANCE 2013-31 (pay 2014)							
An ordinance fixing the salaries and wages for the officials and employees for various departments of the County of Franklin, Indiana for the calendar year 2011.							
BE IT ORDAINED BY THE COUNCIL OF FRANKLIN COUNTY, INDIANA:							
SECTION 1							
The salaries and wages of the officials and employees for the various departments of the County of Franklin, Indiana, for the year 2014, shall be as follows:							
90% (ninety percent) salary for 90 (ninety) days of full time employment. After 90 (ninety) days, employee receives 100 % (one hundred percent) pay. Part-time employees moving to full time will be credited for hours of time worked against average number of hours to be worked full time in the 90 (ninety) day period for the position; no additional probationary time shall be required.							
All part-time rates up to the stated hourly rate.							
For Franklin County Sheriff personnel policies see attached exhibit A and for all Franklin County Department, see Franklin County Indiana Personnel Policies handbook Revised October 7, 2013.							
For Franklin County E-911/Communication dispatchers-employees shall receive overtime pay for overtime worked but have the option of comp-time in lieu of overtime pay if requested in advanced. Moreover the overtime pay shall be paid from the E-911 fund (Section 248) and the appropriations shall be transferred from part-time help to comp/overtime.							
SECTION 2							
Full time employees shall receive a longevity pay (based upon last hire date) of \$60.00 per calendar year. Employee must be employed as of January 1 to receive that year benefit.							
Description	Salary	Hours Worked	Bi-weekly Rate	Hourly Rate	Job Category	FLSA Status	
Section 1188 - Reassessment <i>1224</i>							
Department 000							
11400.00 3rd Deputy	\$24,928	32.5	<i>77</i> \$958.75	\$14.75	COMOT	Non-exempt	
11500.00 4th Deputy	\$24,708	32.5	\$950.30	\$14.62	COMOT	Non-exempt	
15802.00 Longevity	\$2,750.00	\$60.00 per year					
19000.00 Level I Cert. for assessor office (5ea. @)	\$ 500.00	per level					
(Assessor, 1st, 2nd, 3rd & 4th Deputy)							
19050.00 Level II Cert. for assessor office (5ea. @)	\$ 500.00	per level					
(Assessor, 1st, 2nd, 3rd & 4th Deputy)							
10029.00 Part-time	\$5,000.00	up to per hour		\$10.00	(not to exceed \$300. in one month)		
Section 10000 - DUI							
14100.00 Personal Services	\$ 2,500.00						
Section 1000 - County General							
Department 0001 - Clerk							
11100.00 Clerk	\$ 31,208.00	n/a	\$1,200.31		Elected	Exempt	
11201.00 1st Deputy	\$ 25,435.00	32.5	\$978.26	\$15.05	COMOT	Non-exempt	
11300.00 2nd Deputy	\$ 25,181.00	32.5	\$968.50	\$14.90	COMOT	Non-exempt	
11400.00 3rd Deputy	\$ 24,928.00	32.5	\$958.75	\$14.75	COMOT	Non-exempt	
11500.00 4th Deputy	\$ 24,708.00	32.5	\$950.30	\$14.62	COMOT	Non-exempt	
10029.00 Part-time	\$10,000.00	up to per hour		\$11.00			
11800.00 6th Deputy	\$ 23,508.00	32.5	\$904.15	\$13.91	COMOT	Non-exempt	
12000.00 5th Deputy	\$ 23,508.00	32.5	\$904.15	\$13.91	COMOT	Non-exempt	
15802.00 Longevity	\$2,700.00	\$60.00 per year					
Department 0002 - Auditor							
11100.00 Auditor	\$ 31,208.00	n/a	\$1,200.29		Elected	Exempt	
11100.00 Auditor (council)	\$ 850.00	n/a	\$32.66		Elected	Exempt	
11200.00 Chief Deputy	\$ 25,435.00	32.5	\$978.25	\$15.05	COMOT	Non-exempt	
11300.00 Deputy	\$ 25,181.00	32.5	\$968.50	\$14.90	COMOT	Non-exempt	
11400.00 Deputy	\$ 24,928.00	32.5	\$958.75	\$14.75	COMOT	Non-exempt	
12000.00 Deputy	\$ 24,708.00	32.5	\$950.30	\$14.62	COMOT	Non-exempt	
10010.00 Part-time	\$ 15,000.00	up to per hour		\$10.00			
15802.00 Longevity	\$3,000.00	\$60.00 per year					
Department 0003 - Treasurer							
11100.00 Treasurer	\$ 31,208.00	n/a	\$1,200.29		Elected	Exempt	
11200.00 1st Deputy	\$ 25,435.00	32.5	\$978.25	\$15.05	COMOT	Non-exempt	
10010.00 Part-time	\$ 15,000.00	up to per hour		\$11.00			
15802.00 Longevity	\$600.00	\$60.00 per year					
Department 0004 - Recorder							
11100.00 Recorder	\$ 31,208.00	n/a	\$1,200.29		Elected	Exempt	
11200.00 1st Deputy	\$ 25,435.00	32.5	\$978.25	\$15.05	COMOT	Non-exempt	
11300.00 2nd Deputy	\$ 25,181.00	32.5	\$968.50	\$14.90	COMOT	Non-exempt	
10010.00 Part-time	\$						
15802.00 Longevity	\$1,140.00	\$60.00 per year					
Department 0005 - Sheriff							
19800.00 Deputy Overtime	\$ 20,000.00	up to per year		\$0.00	\$0.00		

11700

11201

11201

	Description	Salary	Hours Worked	Bi-weekly Rate	Hourly Rate	Job Category	FLSA Status
✓	11100.00 Sheriff	80467.20 \$ 78,048.00	n/a	\$3,001.85		POLE	Exempt
✓	11816.00 Chief Deputy / Major	\$ 37,232.00	40.0	\$1,432.00	\$17.90	POLE	Non-exempt
	10041.00 Holiday Pay (13) / 5 (Major)	\$ 2,327.00	per holiday		\$179.00		
✓	11811.00 Deputy-Captain	\$ 35,797.00	40.0	\$1,376.81	\$17.21	POLE	Non-exempt
✓	11809.00 Deputy-Lieutenant	\$ 35,360.00	40.0	\$1,360.00	\$17.00	POLE	Non-exempt
✓	11802.00 Deputy-Sergeant	\$ 34,923.00	40.0	\$1,343.20	\$16.79	POLE	Non-exempt
✓	11805.00 Deputy/K-9	\$ 34,486.00	40.0	\$1,326.40	\$16.58	POLE	Non-exempt
			per holiday				
✓	11801.00 Deputy (6 ea. @)34486. Probation wages	\$ 206,916.00	40.0	\$1,326.40	\$16.58	POLE	Non-exempt
	10034.00 Holiday Pay (13) / 5 (Deputy)	\$ 12,932.40	per holiday		\$165.80		
	10034.00 Holiday pay - Probationary Deputy		per holiday		\$153.50		
	10038.00 Holiday pay - sergeant (13) / 5	\$ 2,182.70	per holiday		\$167.90		
	10039.00 Holiday pay - lieutenant (13) / 5	\$ 2,210.00	per holiday		\$170.00		
	10039.00 Holiday pay - captain (13) / 5	\$ 2,237.30	per holiday		\$172.10		
	Police Pension	\$ 109,324.00	up to per year				
✓	10021.00 Part Time Clerk				\$0.00		
✓	14500.00 Civil Process Server/Transport Officer	\$ 27,435.00	40.0	\$1,055.20	\$13.19	POLE	Non-exempt
	10010.00 Part-time	\$ 1,000.00	up to per hour				
	15802.00 Longevity	\$ 12,000.00	\$60 per year				
	31100.00 Merit Board	\$ 300.00	\$15.00 each / per mtg.				
	School Liaison Officer						
	Department 0006 - Surveyor						
✓	11100.00 Surveyor	\$ 37,666.00	n/a	\$1,448.71		Elected	Exempt
✓	10010.00 Part-time	\$ 20,000.00	up to per hour		\$10.00		
✓	15802.00 Longevity	\$ 2,100.00	\$60.00 per year				
	Department 0007 - Coroner						
✓	11100.00 Coroner	\$ 13,569.00	n/a	\$521.88		Elected	Exempt
✓	11200.00 Chief Deputy	\$ 1,300.00	n/a	\$50.00		SO	Non-exempt
✓	12400.00 Special Deputy	\$ 3,750.00	\$75 / call (up to 4hrs.)				
	15802.00 Longevity	\$ 120.00	\$50 / call (after 4hrs.)				
✓	15802.00 Longevity	\$ 120.00	\$60.00 per year				
	Department 0008 - Prosecuting Attorney						
	11100.00 Prosecutor (Supplement)		per year				
	11813.00 Deputy Prosecutor (Supplement)		per year				
	10010.00 Part-time						
✓	12500.00 Clerical	\$ 25,773.00	32.5	\$991.25	\$15.25	COMOT	Non-exempt
✓	12901.00 Assistant Clerical	\$ 25,773.00	32.5	\$991.25	\$15.25	COMOT	Non-exempt
✓	15802.00 Longevity	\$ 3,780.00	\$60.00 per year				
✓	12922.00 Secretary	\$ 23,423.00	32.5	\$900.90	\$13.86	COMOT	Non-exempt
	Department 0009 - Assessor						
✓	11100.00 Assessor	\$ 31,208.00	n/a	\$1,200.29		Elected	Exempt
✓	11201.00 1st Deputy	\$ 25,435.00	32.5	\$978.25	\$15.05	COMOT	Non-exempt
✓	11300.00 2nd Deputy	\$ 25,181.00	32.5	\$968.50	\$14.90	COMOT	Non-exempt
✓	15802.00 Longevity	\$ 2,640.00	\$60.00 per year				
	Department 0011 - Extension Service						
✓	12550.00 1st Clerical	\$ 25,435.00	32.5	\$978.25	\$15.05	COMOT	Non-exempt
	13400.00 Part-time	\$ 10,000.00			\$10.00	COMOT	Non-exempt
	13700.00 Program Assistant	\$ 4,000.00	up to per year			COMOT	Non-exempt
	15802.00 Longevity	\$ 2,220.00	\$60.00 per year				
	Department 0079 - Plan Commission						
✓	10200.00 Building Inspector	\$ 25,553.00	32.5	\$982.80	\$15.12	PAT	Non-exempt
✓	111010.00 Director	\$ 30,809.00	32.5	\$1,184.95	\$18.23	PAT	Exempt
✓	10250.00 Enforcement Officer	\$	32.5	\$0.00	\$0.00	PAT	Non-exempt
	10010.00 Part-time		up to per hour		\$9.00		
✓	12922.00 Secretary	\$ 25,435.00	32.5	\$978.25	\$15.05	COMOT	Non-exempt
✓	13800.00 Commission Attorney	\$ 6,500.00	n/a	\$250.00			
	13900.00 Area Plan Board Members (5)	\$ 3,300.00	\$55 ea. / Meeting				
	14000.00 Board of Appeals (5)	\$ 3,300.00	\$55 ea. / Meeting				
	14100.00 Court Cases	\$ 1,000.00	up to per year				
	14200.00 Board of Appeals Court Case	\$ 1,000.00	up to per year				
	15802.00 Longevity	\$ 3,000.00	\$60.00 per year				
	Department 0012 - Veteran Service Officer						
✓	11103.00 Veteran Officer	\$ 15,340.00	n/a	\$590.00	\$14.75	PAT	Exempt
	Department 0626 - Small Animal Control						
	12850.00 SAC Officer	\$ 27,435.00	40.0	\$1,055.20	\$13.19	POLE	Non-exempt
	10012.00 SAC Part-time	\$ 6,500.00	up to per hour		\$9.00		
	15802.00 Longevity	\$ 120.00	\$60.00 per year				

	Description	Salary	Hours Worked	Bi-weekly Rate	Hourly Rate	Job Category	FLSA Status
Department 068 - Board of Commissioners							
12924.00	Secretary	\$ 25,435.00	32.5	\$978.25 ²⁷	\$15.05	COMOT	Non-exempt
11102.00	Commissioners (3ea. @)17383.00	\$ 52,149.00	n/a	\$668.56 ⁵³		Elected	Exempt
10010.00	Part-time	\$ 7,100.00	up to per hour		\$11.00		
12923.00	Soil & Water Secretary	\$ 24,742.00	32.5	\$951.80 ⁴²	\$14.64	COMOT	Non-exempt
13800.00	County Commissioner Attorney	\$ 13,832.00	n/a	\$532.00		PAT	Exempt
14301.00	Council (7ea. @)4465.00	\$ 31,262.00	n/a	\$171.70 ⁷		Elected	Exempt
15160.00	PTABOA	\$ 4,000.00	up to per hour		\$10.00		
			up to per year				
		\$ -			\$0.00		
10024.00	Part time maintenance	\$ 6,000.00	up to per hour		\$11.00		
12950.00	Assistant Custodian	\$ 23,018.00	32.5	\$865.36 ³	\$13.62	LTC	Non-exempt
15802.00	Longevity	\$ 3,360.00	\$60.00 per year				
Department 161 - Court House							
12949.00	Custodian	\$ 25,029.00	32.5	\$962.65	\$14.81	LTC	Non-exempt
10010.00	Part-time	\$ 800.00	up to per hour		\$11.00		
15802.00	Longevity	\$ 1,680.00	\$60.00 per year				
Department 03802 - Jail							
11001.00	Jail Cook	\$ 26,250.00	40.0	\$1,009.60	\$12.62	LTC	Non-exempt
			40.0			LTC	Non-exempt
10027.00	Part-time Cook	\$ 25,073.00	up to per hour		\$11.08	LTC	Non-exempt
10025.00	Part-time Jailer	\$ 10,778.00	up to per hour		\$11.08	POLE	Non-exempt
19800.00	Overtime	\$ 1,000.00	up to per year				
11105.00	Matron	\$ 34,466.00	40.0	\$1,325.60 ⁶²	\$16.57	SO	Excluded
12900.00	Assistant Clerical	\$ 25,585.00	36.5	\$984.04	\$13.48	COMOT	Non-exempt
						COMOT	Non-exempt
12500.00	Clerical	\$ 26,591.00	36.5	\$1,022.73	\$14.01	COMOT	Non-exempt
						COMOT	Non-exempt
15700.00	Jailer-Corporal (up to 4 ea. @)28122.00	\$ 112,488.00	40.0	\$1,081.60 ²	\$13.52	POLE	Non-exempt
						POLE	Non-exempt
15701.00	Jailer (up to 6 ea. @)27435.00	\$ 164,610.00	40.0	\$1,055.20 ¹⁹	\$13.19	POLE	Non-exempt
	Probation wages					POLE	Non-exempt
10052.00	Holiday Pay (13) ¹⁵ (Corporal Jailer) up to 4	\$ 5,517.00	per holiday	\$114.92			
10053.00	Holiday Pay (13) ¹⁵ (Jailer) up to 6	\$ 8,744.58	per holiday	\$112.11			
15802.00	Longevity	\$ 6,000.00	\$60 per year				
12949.00	Assistant Custodian	\$ 24,184.00	32.5	\$930.15	\$14.31	LTC	Non-exempt
Department 0232 - Circuit Court							
11100.00	Judge Supplement		per year				
11220.00	Judge Division 2 Supplement		per year				
15902.00	Court Reporter	\$ 26,263.00	32.5	\$1,010.90 ¹²	\$15.54	COMOT	Non-exempt
12930.00	Asst. Court Reporter	\$ 25,823.00	32.5	\$993.20 ¹⁹	\$15.28	COMOT	Non-exempt
16100.00	Bailiff	\$ -		\$ -	\$ -		
15901.00	Court Reporter	\$ 30,065.00	32.5	\$1,156.35	\$17.79	COMOT	Non-exempt
15802.00	Longevity	\$ 3,660.00	\$60.00 per year				
Department 0235- Probation							
16200.00	Chief Probation Officer	see attached salary schedule		^{2175.69}			
		\$ 55,017.00	32.5	\$2,118.04	\$29.60	SO	Non-exempt
16500.00	Probation Officer	see attached salary schedule		^{1746.15}			
		\$ 35,818.00	32.5	\$1,377.62	\$21.19	SO	Non-exempt
Department 9601 - Prosecuting Attorney IV-D							
13801.00	Prosecuting Attorney	\$ 30,000.00	n/a	^{1153.85}		PAT	Exempt
12500.00	Clerical	\$ 25,773.00	32.5	\$991.25 ²⁷	\$15.25	COMOT	Non-exempt
12901.00	Asst. Clerical	\$ 13,762.00	32.5	\$539.39 ¹⁶	\$14.06	COMOT	Non-exempt
10010.00	Part-time	\$ 4,000.00	up to per hour		\$11.00		
	See also section's 8893						
15802.00	Longevity	\$ 4,200.00	\$60.00 per year				
Department 0302 - Emergency Management Agency							
11500.00	Civil Defense Director	\$ 18,268.00	n/a	\$702.60 ⁶²			
12925.00	Secretary	\$ -					
11814.00	Deputy Director	\$ 600.00	up to per year				
17.30	Communications Officer	\$ 300.00	up to per year				
17400.00	Training Officer	\$ 300.00	up to per year				
17500.00	Radiological Officer	\$ 300.00	up to per year				
17600.00	Information Officer	\$ 300.00	up to per year				
17700.00	Resource Officer	\$ 300.00	up to per year				
17800.00	Inventory Officer	\$ 300.00	up to per year				

Description	Salary	Hours Worked	Bi-weekly Rate	Hourly Rate	Job Category	FLSA Status
10000.00 Utilities Officer	\$ 300.00	up to per year				
18050.00 EOC Coordinator	\$ 300.00	up to per year				
18150.00 EOC Deputy Coordinator	\$ 300.00	up to per year				
18200.00 Damage Control Officer #1	\$ 300.00	up to per year				
18250.00 Damage Control Officer #2	\$ 300.00	up to per year				
Department 0503 - Transfer Station						
12949.00 Custodian	\$ 25,519.00	32.5	\$981.50	\$15.10	LTC	Non-exempt
10011.00 Extra Help	\$ 1,650.00	up to per hour		\$9.00		
12910.00 Assistant	\$ 24,877.00	32.5	\$956.80	\$14.72	LTC	Non-exempt
15802.00 Longevity	\$ 2,460.00	\$60.00 per year				
Department 303 - Communications						
14500.00 Dispatchers (4 ea. @30243.00)	\$ 120,972.00	40.0	\$1,163.20	\$14.54	POLE	Non-exempt
Holiday Pay (Dispatchers) 4 @ 13 holidays	\$ 9,072.96	per holiday		\$174.43		
15802.00 Longevity	\$ 1,560.00	\$60.00 per year				
Department 151 - Council						
10100 Salary Adjustments	\$ 20,000.00					
12001 Contingency part-time		up to per year		\$0.00		
Section 1215 - Election						
18800.00 Election Board (3 each @ \$1,600.)	\$ 4,800.00	up to per year				
32102.00 Traveling Board		up to per hour		\$10.50		
19100.00 Absentee Board		up to per hour		\$10.50		
10010.00 Part-time		up to per hour		\$11.00		
Section 1176 - HIGHWAY						
Department 530 - Administration						
12927.00 Highway Secretary	\$ 27,668.00	36.0	\$1,064.16	\$14.78	COMOT	Non-exempt
12922.00 Administrative Secretary	\$ 27,949.00	36.0	\$1,074.96	\$14.93	COMOT	Non-exempt
11170.00 Highway Engineer Full-time	\$ 49,179.00	32.5	\$1,891.50	\$29.10	PAT	Exempt
Department 0533 - General Undistributed						
10014.00 Garage Mechanic (1ea. @)	\$ 31,429.00	40.0	\$1,208.80	\$15.11	LTC	Non-exempt
Department 0531- Maintenance & Repair						
10010.00 Extra Help	\$ -	up to per hour		\$9.00		
15802.00 Longevity	\$ 14,780.00	\$60.00 per year				
17850.00 Truck Drivers (up to 12 @)29994.00	\$ 389,922.00	40.0	\$1,153.60	\$14.42	LTC	Non-exempt
17900.00 Equipment Operators (3ea. @)30636.00	\$ 91,914.00	40.0	\$1,178.40	\$14.73	LTC	Non-exempt
18125.00 Road Foreman (3ea. @)32219.00	\$ 96,657.00	40.0	\$1,239.20	\$15.49	LTC	Non-exempt
15800.00 Overtime		up to per year				
18550.00 Temporary Equipment Operator	\$ 200.00	up to per year			LTC	Non-exempt
Section 1159 - Health						
Department 000						
11107.00 Health Officer	\$ 8,100.00		\$311.54		PAT	Exempt
12929.00 Health Secretary (see below)	\$ 16,427.00	32.5	\$508.25	\$15.05	COMOT	Non-exempt
1168-12922-000.0000	\$ 9,008.00					
13900.00 Health Board Members (5)	\$ 1,500.00	\$50 ea. / Meeting				
16700.00 Supervisor Nurse	\$ 39,174.00	32.5	\$1,506.70	\$23.18	PAT	Exempt
16800.00 Staff Nurse	\$ 36,504.00	32.5	\$1,404.00	\$21.60	PAT	Exempt
Sanitarian (see below)	\$ 20,060.00	32.5	\$618.25	\$15.42	PAT	Non-exempt
1168-12326-000.0000	\$ 6,000.00					
13800.00 Attorney	\$ 4,000.00				PAT	Exempt
15802.00 Longevity	\$ 3,540.00	\$60.00 per year				
Section 1219- Park & Recreation						
Department 000						
11160.00 Park Superintendent	\$ 28,291.00	32.5	\$1,088.10	\$16.74	LTC	Exempt
16900.00 Board Members (6 ea @)	\$ 300.00	per year				
12960.00 Ass't. Park Superintendent	\$ 24,708.00	32.5	\$950.30	\$14.62	LTC	Non-exempt
18400.00 Maintenance	\$ 10,265.00	up to per hour		\$10.00	LTC	Non-exempt
19900.00 Guard I	\$ 9,335.00	up to per hour		\$9.68		
19901.00 Guard II	\$ 9,335.00	up to per hour		\$9.68		
10011.00 Extra Help	\$ 10,335.00	up to per hour		\$9.68		
19902.00 Assistant Guard III	\$ 9,335.00	up to per hour		\$9.68		
15802.00 Longevity	\$ 1,620.00	\$60.00 per year				
Section 1202 - Surveyors Corner Perpetuation						
Department 000						
11100.00 County Surveyor	\$ 2,000.00	up to per year			Elected	Exempt
Section 1189 - Recorder Perpetuation						

12928

1206 IND LOCAL

11129 LDRG ASST SEC

11301 PREP ADM

GRANT MCA

44-pm-26

HEALTH DEPT TRUST

Section 1219- Park & Recreation

Department 000

11160.00 Park Superintendent

16900.00 Board Members (6 ea @)

12960.00 Ass't. Park Superintendent

18400.00 Maintenance

19900.00 Guard I

19901.00 Guard II

10011.00 Extra Help

19902.00 Assistant Guard III

15802.00 Longevity

Section 1202 - Surveyors Corner Perpetuation

Department 000

11100.00 County Surveyor

Section 1189 - Recorder Perpetuation

Description	Salary	Hours Worked	Bi-weekly Rate	Hourly Rate	Job Category	FLSA Status
Department 000						
50000.00 Part Time Help		up to per hour		\$9.50		
Section 2101 Adult Supplemental						
Department 000						
Part Time Help	\$ 10,000.00	up to per hour		\$11.00		
15900 Court Reporter	\$ 22,274.00	32.5	\$856.20 ⁶⁹	\$13.18	COMOT	Non-exempt
12922 Secretary	\$ 20,263.00	32.5	\$779.35	\$11.99	COMOT	Non-exempt
15802.00 Longevity	\$ 360.00	\$60.00 per year				
Section 2502 - Pretrial Diversion						
Department 000						
11800.00 Community Service Coordinator	\$ 11,000.00	up to per Saturday		\$135.00		
10010.00 Extra Help	\$ 8,000.00	up to per hour		\$12.00		
Section 1222 - E-911 Landline						
Department 000						
		up to per hour		\$14.09	POLE	Exempt
14550.00 Dispatcher(s) 3 ea @30243.00	\$ 90,729.00	40.0	\$1,163.20 ¹⁹	\$14.54	POLE	Non-exempt
* 4120.00 Part-time	\$ 40,000.00	up to per hour		\$13.00		
4150.00 Dispatchers (3) Holiday Pay (13 days) ¹⁵		per holiday	\$180.48			
15802.00 Longevity	\$ 1,500.00	\$60.00 per year				
14700.00 Communication Asst. Supervisor	\$ 32,240.00	40.0	\$1,240.00	\$15.50		
10010.00 Comp/Overtime	\$ 5,000.00	up to per year				
Section 1168 - Health Maintenance						
Department 000						
12922.00 Secretary	\$ 9,008.00		\$348.46			
12325.00 Sanitarian	\$ 20,280.00		\$780.00	\$12.00		
15802.00 Longevity	\$ 120.00					
Section 1148 - Drug Free Community Fund						
Department 000						
13001.00 Coordinator	\$ 7,500.00	up to per hour		\$15.00		
Section 8107 - Victim assistance						
Dep Pros. Atty	\$ 12,500.00		\$480.75		PAT	Exempt
Section 8102 - Operation Pullover						
10000.00 Personal Services	\$ 9,000.00					
Section 9103 - Marijuana Eradication						
10000.00 Personal Services	\$					
Section 0300 - Waste Management						
Department 000						
10010.00 Part Time Help	\$ 2,703.00	up to per hour		\$9.00		
Section 8899 - Title IV-D Clerk						
Department 000						
10040.00 Part-time ¹¹⁵⁰⁴	\$ 7000.00	up to per hour	268.23 ³⁵⁴⁶³	\$11.00		
Section 8899 - Title IV-D Prosecuting Attorney @ 10/1/99						
Department 000						
12900.00 Asst. Clerical	\$ 10,000.00		384.62			
		per holiday			POLE	Non-exempt
		\$60.00 per year				
		up to per year				
		up to per hour			PAT	Non-exempt
Section 1183 - Economic Development						
10010.00 Part-time	\$ 4000.00			\$11.00	PAT	Exempt
10000.00 Board members	\$ 10000.00					
Section 8103 - Open Alcohol Beverage						

12326 →
23076

97545
34446
631.89

fourth deputy
11500
#8897

1206

77155
23076
100231

	Description	Salary	Hours Worked	Bi-weekly Rate	Hourly Rate	Job Category	FLSA Status
10000.00	Personal Services	\$ 5,000.00					
Section 4560 - Local Public Health Coordinator							
11126.00	LPHC Coordinator	\$ 1,418.00	19.0	\$570.00	\$15.00		
Section 8130 - PHER H1N1 Grant Extension							
11108.00	PHER H1N1 Grant Coordinator	\$ 6,240.00	16.0	\$480.00	\$15.00		
Section 9122- Medical Reserve Corp Health							
11127.00	MRC Coordinator	\$ 4,750.00	5.0	\$150.00	\$15.00		

Section 9126 School Security Dated this 30 day of 11 2014

*11 801. 01 Resource-AVE OFFERED

NAY

Jeffery C Koch

Jeffery C Koch

Becky Oglesby

Becky Oglesby

Joe Sizemore

Joe Sizemore

Aaron Leffingwell

Aaron Leffingwell

Daryl Kramer

Daryl Kramer

Hollie Maxie

Hollie Maxie

Dean McQueen

Dean McQueen

ATTEST:

Stephen Brack, Auditor

EXHIBIT "A"

FRANKLIN COUNTY SHERIFF'S DEPARTMENT

Probationary Period

Effective January 1, 1996 the rank of Probationary Officer is established for all new and re-hired merit deputies and jail officers.

The new and re-hired officers are on probation for a period of one (1) year from the date of hire. The probationary period may be waived for re-hired merit deputies with approval of the Sheriff and Merit Board. The probationary period may be waived for re-hired jail officers with approval of the Sheriff.

An Officer on probation may be dismissed by the Sheriff without a right to a hearing.

The salary for probationary officers will be set by County Council.

FILED

MAY 28 2013

ORDINANCE NO. 2013- 08

FRANKLIN COUNTY HIGHWAY LOAN AUTHORIZATION ORDINANCE

Stephen Brack
AUDITOR, FRANKLIN COUNTY, INDIANA
WHEREAS, it is determined that the Franklin County, Indiana, Highway Department is in need of supplemental funding to purchase certain equipment;

BE IT NOW RESOLVED by the Franklin County, Indiana, County Council:

The Franklin County Indiana Highway Department is hereby authorized to borrow up to \$152,000 in principal under the following conditions:

1. The funds shall be borrowed from the Bath State Bank.
2. The funds shall be paid back over a term not to exceed three years, but may be paid sooner.
3. The interest rate shall be fixed at no higher than 3.5%.
4. Repayment shall be made from future EDIT tax revenues directed for highway use.

If any provision of this loan authorization resolution is deemed to be contrary to Indiana law, the remaining provisions shall remain in full force and effect and the council shall make all efforts to make substitute provisions as required.

BE IT NOW ORDAINED AND ADOPTED this 28 day of May, 2013, by,

COUNTY COUNCIL
OF FRANKLIN COUNTY, INDIANA

REBECCA OGLSEBY

Rebecca Oglseby

DARYL KRAMER

Dean McQueen

DEAN MCQUEEN

Joe Sizemore

JOE SIZEMORE

Hollie Maxie

HOLLIE MAXIE

Jeff Koch

JEFF KOCH

Aaron Leffingwell

AARON LEFFINGWELL

ATTEST:

Steve Brack

STEVE BRACK, AUDITOR
FRANKLIN COUNTY, INDIANA

RESOLUTION 2013-08

**RESOLUTION OF FRANKLIN COUNTY COUNCIL TO TRANSFER FUNDS
FROM RAINY DAY (1350) TO HEALTH (214)**

WHEREAS, Franklin County Health Fund is in need of money for cash flow purposes; And

WHEREAS, it is necessary to borrow money to enhance the Franklin County Health Fund; And

WHEREAS, there is sufficient money on deposit to the credit of Franklin County Rainy Day Fund that can be temporarily transferred; And


WHEREAS, the money to be transferred is revenue derived from the levying and collection of property taxes or from the operation of Franklin County, Indiana.

NOW THEREFORE, BE IT ORDAINED:


That \$75,000.00 (seventy five thousand dollars and zero cents) be transferred from the Franklin County rainy Day Fund (1350) to the Franklin County Health Fund (214).

1. BE IT FURTHER RESOLVED, the period during which said funds shall be transferred shall end during the budget year of this Resolution, being the year in which the transferred occurred.
2. BE IT FURTHER RESOLVED that only revenues derived from the levying and collection of property taxes or special taxes or from the operation of Franklin County, Indiana may be included in the amount transferred.

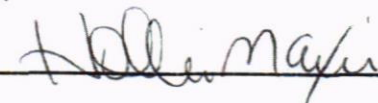
Dated this 29 Day of January, 2013



Jeff Koch

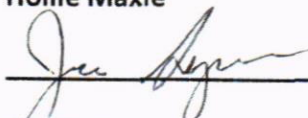


Daryl Kramer

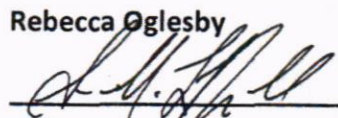


Hollie Maxie

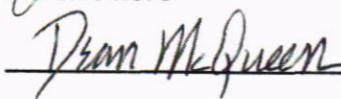
Rebecca Oglesby



Joe Sizemore

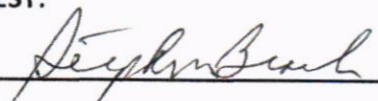


Aaron Leffingwell



Dean McQueen

ATTEST:



Stephen Brack, Franklin County Auditor

COPY

A RESOLUTION ADOPTING THE STATEWIDE COURT CASE MANAGEMENT SYSTEM

2013-10

Whereas, the statewide court case management system, called Odyssey, is being offered to the trial court/s and circuit court clerk at no cost to the county other than the incidental cost that may be required in order to upgrade computer equipment maintained and used in the local courts' and clerk's offices;

Whereas, the Division of State Court Administration signed a state contract in 2007 with Tyler Technologies, Inc. purchasing the rights to use Odyssey for all judicial staff in Indiana and the Division has been deploying Odyssey to the trial courts and city and town courts since 2007;

Whereas, in addition to the fact the Division of State Court Administration has paid the initial licensing costs for the Odyssey software, the Division of State Court Administration will pay the yearly software maintenance and support costs and the county will not incur any yearly costs to use the software;

Whereas, the Division of State Court Administration will pay for the training of court, clerk, and probation staff;

Whereas, the county currently pays a third party vendor for the maintenance and support for the current court case management system software but, with the implementation of Odyssey, this cost will no longer be a burden on the County;

Whereas, Odyssey offers our citizens access to non-confidential court case information at no cost over the Internet;

Therefore, be it resolved by the members of the FRANKLIN County Commissioners that it supports the implementation of the statewide Odyssey case management system for the trial court/s and the circuit court clerk for our county and that the implementation of Odyssey is in the best interest of the county.

Adopted and resolved this 6th day, May, 2013.

County Commissioner

County Commissioner

County Commissioner

Honorable Brent E. Dickson
Chief Justice
Indiana Supreme Court
c/o Mary DePrez
30 South Meridian Street, 5th Floor
Indianapolis, Indiana 46204

SUBJECT: Memorandum of Understanding and Request for Participation in the Statewide Case Management System (CMS).

Dear Chief Justice Dickson:

1. Based on information we have received from discussions with, presentations by, and other materials provided by the Indiana Supreme Court's Judicial Technology and Automation Committee (JTAC) and its staff, the courts and Clerk of this county have determined that participation in the new statewide case management system (CMS) is in the best interests of our County. This conclusion has been discussed with all of the officials who will be involved in supporting the project and their signature may appear at the end of this document.
2. We understand that the CMS is to be implemented cooperatively on a county-by-county basis between the Indiana Supreme Court, the Court's Division of State Court Administration, and JTAC and the courts, County Clerks, and other elected and appointed county officials throughout the State.
3. Our county agrees to the deployment of the Indiana Supreme Court's statewide case management system. We understand and agree that this deployment will require a substantial commitment of time and effort on our part.
4. We understand that the CMS will be a statewide system containing substantial amounts of information (including financial information) on court cases and connected to those who use such information. We have been informed of and recognize the scope and complexity of the project. We have been advised that JTAC will at its expense provide the case management software and will operate the CMS on a statewide basis. JTAC will also provide project team assistance (including training) during the implementation process. We are aware that our County, its courts, Clerk and other officials will be called upon, and agree, to provide personnel support and to bear various costs as set out in paragraph 7.
5. We understand that we will need, and we agree, to use the standards and protocols and follow the policies for use of the CMS that JTAC identifies for all participants in the State. We further understand that the CMS is based upon Indiana Statutes, Rules of Court and applicable case law. We are informed that the Indiana Supreme Court, State Court Administration and JTAC plan for the system to evolve to provide a high level of standardization of court procedures statewide. Best court practices will be utilized in standardization. We understand that we will play an important role in reaching that goal and may need to modify or abandon current ways of doing business that do not conform to the statutes, rules, case law and/or best practices. We understand that the Indiana Supreme Court will supervise our county's participation in the statewide case management system and will establish procedures for ensuring compliance with the standards established.
6. We understand that the Indiana Supreme Court through its Division of State Court Administration will be responsible for the following subject to appropriated funding:
 - a. The cost of the license and maintenance fees for the software.
 - b. Any upgrades and enhancement to the software.

Please include our County in your implementation schedule for the new Statewide Case Management System. (Attach additional signature page if needed.) The signatures of all the judges of the courts of record and the Clerk of the Circuit Court are required.

Sincerely,



JUDGE

4-15-13
Date



JUDGE

4-15-13
Date

JUDGE

Date

~~JUDGE~~ TOM WILSON
COMMISSIONER

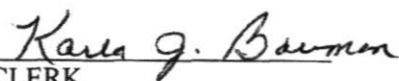
Date

~~JUDGE~~ TOM LINKEL
COMMISSIONER

Date

~~JUDGE~~ SCOTT McDONOUGH
COMMISSIONER

Date



CLERK

4-15-13
Date

ADDITIONAL SIGNATURES
(see Paragraph 1)

Date